

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
UNITED PROVINCES
OFFICIAL REPORT

VOLUME XXXV.

FROM October 29 to November 4, 1927



ALLAHABAD

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LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Saturday, October 29, 1927.

THE Council met in the Council Hall, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sitā Ram in the Chair,

PRESENT (89).

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliott, Bart.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. C. Desanges.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Babu Lakshmi Narayan Gargh.
Babu Ganesh Shankar Vidyarthi.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Thakur Pratap Bhan Singh.
Thakur Bikram Singh.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.

Rao Udaibir Singh.
Pandit Mool Chand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhainandan Prasad.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Raja Bahadur Bishwanath Saran Singh.
Rai Bahadur Babu Mohan Lal.
Raja Raghuraj Singh.
Maharaj Kumar Major Mahijit Singh.
Kunwar Surendra Pratap Sahai.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Maulvi Zahur-ud-din.
Saiyid Tufail Ahmad.
Khan Bahadur Shaikh Zia-ul-Haq.
Nawabzada Muhammad Liaquat Ali Khan.
Hafiz Muhammad Ibrahim.
Shaikh Abdullah.
Khan Bahadur Hafiz Hidayat Husain.
Maulvi Saiyid Habib-ullah.
Shaikh Ghulam Husain.
Khan Bahadur Saiyid Jafer Hosain.
Khan Bahadur Shaikh Saiyid Muhammad
alias Maiku Mian.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Raja Saiyid Ahmad Ali Khan Alvi.
Mr. St. George H. S. Jackson.
Rai Bahadur Lala Bihari Lal.
Rai Bahadur Lala Mathura Prasad
Mehrotra.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Mr. E. M. Souter.
Mr. J. P. Srivastava.
Pandit Iqbal Narayan Gurtu.

MEMBERS SWORN.

Sir Ivo Elliott, Bart.
Mr. J. H. Darwin,

Kunwar Surendra Pratap Sahi.
Babu Lakshmi Narayan Gargh.
Pandit Mool Chand Dube.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

CATTLE SLAUGHTERED IN UNITED PROVINCES.

* 1. **Pandit Bhagwat Narayan Bhargava**: How many cattle were slaughtered in the United Provinces for purposes of consumption and how many for trade during the last three years?

The Hon'ble Nawab Muhammad Yusuf: A statement is laid on the honourable member's table.

(See Appendix A, page (8))

* 2. **Lieut. Raja Durga Narayan Singh**: [Has ceased to be a member of the Council.]

ISLAMIA SCHOOLS AND makhtabs.

* 3 **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to state what amount, if any, was spent in each district on the construction of buildings of Islamia schools and makhtabs?

The Hon'ble Rai Rajeshwar Bali: A statement is placed on the table of the honourable member.

(See Appendix B, page 69.)

VILLAGE PANCHAYATS.

* 4. (a) **Babu Ganesh Shankar Vidyarthi**: Will the Government be pleased to state how many village panchayats under the United Provinces Village Panchayats Act, 1920, are at present working in the province?

(b) How many cases did they try in the year 1925-26?

(c) How many of them were criminal and how many civil?

(d) How many of them were compromised?

(e) How many panchayats have got their village funds?

(f) What is the total amount of these village funds?

The Hon'ble Nawab Muhammad Yusuf: (a) 4,772 panchayats are at present working in the province.

(b) and (c) 124,606 cases were tried during the years 1925 and 1926, out of which 36,644 were criminal and 87,962 were civil.

(d) 50,723 cases were compromised.

(e) All the panchayats have got their village funds under section 63 of the United Provinces Village Panchayats Act, VI of 1920.

(f) The total amount of village funds in the province is Rs. 1,96,768-12-3.

PERSONS CONVICTED UNDER CERTAIN SECTIONS OF THE INDIAN PENAL CODE.

* 5. **Pandit Bhagwat Narayan Bhargava**: Will the Government be pleased to lay on the table a statement showing the number of prisoners convicted in the year ending March 31, 1927, under the following sections of the Indian Penal Code, together with their religion and nationality: -

120-B, 121, 121-A, 122, 123, 124, 124-A, and 153-A?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

(See Appendix C, page 71.)

* 6. **Pandit Bhagwat Narayan Bhargava :** Are any of the said prisoners or any others in jail receiving any special treatment? If so what?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : None.

DISTRICT BOARD ENGINEER, MEERUT.

* 7. **Chaudhri Mangat Singh :** With reference to questions Nos. 1 to 4, answered at the meeting of the Council held on March 14, 1927, has the attention of the Government been drawn to the appointment recently made by the district board, Meerut, to the post of an engineer?

The Hon'ble Nawab Muhammad Yusuf : Government had no previous information of the appointment.

* 8. **Chaudhri Mangat Singh :** What are the qualifications of the gentleman so appointed? Does he possess the qualifications prescribed by the rules for appointment?

The Hon'ble Nawab Muhammad Yusuf : The gentleman holds a sub-engineer's diploma of the Roorkee College.

* 9. **Chaudhri Mangat Singh :** When was the appointment made? How many times has the matter of his appointment come before the board, and with what results?

The Hon'ble Nawab Muhammad Yusuf : (a) January 20, 1927.

(b) The appointment was first made in April, 1924. In October, 1925, when the present public works rules were published, he was made a supervisor, but was again appointed an engineer on January 20, 1927.

Chaudhri Mangat Singh : There is no answer to my question whether the qualifications were as prescribed by rule.

The Hon'ble Nawab Muhammad Yusuf : The honourable member will find the answer given to question No. 8. The gentleman holds a sub-engineer's diploma of the Roorkee College.

**ELECTRIC INSTALLATION AT BHOWALI, KATHGODAM,
HALDWANI, AND NAINI TAL.**

* 10. **Pandit Badri Dutt Pandey :** Are there any proposals for supplying electric current to (1) Bhowali, (2) Kathgodam, (3) Haldwani, and (4) Government House, Naini Tal.

The Hon'ble Nawab Muhammad Yusuf : The answer is in the affirmative as regards Bhowali, Kathgodam, and Haldwani. Government House has its own installation.

COLVIN TALUQDAR'S SCHOOL, LUCKNOW.

* 11. **Rao Krishna Pal Singh :** How many students of Colvin Taluqdars' School have since its establishment become graduates or undergraduates? How many in each year during the last fifteen years?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix D, page 71.)

* 12. **Rao Krishna Pal Singh :** What is the total amount contributed towards its construction, equipment, and maintenance since its foundation (a) by taluqdars and (b) by Government ?

The Hon'ble Rai Rajeshwar Bali : (a) By taluqdars, Rs. 7,85,650.
(b) By Government, 2,15,970.

* 13. **Rao Krishna Pal Singh :** What is the present annual contribution made by either ?

The Hon'ble Rai Rajeshwar Bali : (a) By taluqdars, Rs. 25,000 (exclusive of fees).
(b) By Government, Rs. 30,000.

* 14. **Rao Krishna Pal Singh :** What is the strength and what are the salaries of its staff and what are their academic qualifications ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix E, page 72.)

* 15. **Rao Krishna Pal Singh :** What is the enrolment of the school and what is the cost per pupil ?

The Hon'ble Rai Rajeshwar Bali : On March 31, 1927, 44 ; Rs. 914 in 1926-27.

* 16. **Rao Krishna Pal Singh :** What are the constitution and the functions of the committee of the school ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix F, page 74.)

* 17. **Rao Krishna Pal Singh :** When was the school last inspected by (a) the inspector and (b) the Director ?

The Hon'ble Rai Rajeshwar Bali : By the inspector in February, 1927 ; by the Director in November, 1922.

* 18. **Rao Krishna Pal Singh :** Will the Government lay on the table copies of the last two inspection notes of both of the aforesaid officers ?

The Hon'ble Rai Rajeshwar Bali : Government regret that they cannot publish the reports on particular institutions, as these are intended for the guidance of the managing bodies concerned. But the honourable member is referred to the report on the school in Chapter VIII of the General Report on Public Instruction for 1925-26.

* 19. **Rao Krishna Pal Singh :** What subjects are taught and to what classes by the Principal, Vice-Principal, and the Head Master ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix G, page 74.)

TUBE WELLS.

* 20. **Khan Bahadur Hafiz Hidayat Husain** : How many municipalities in the province have taken up the construction of tube wells for the improvement of water-supply ?

(b) How many tube wells have been built by each municipality ?

(c) What is the cost of construction to each municipality and what is the Government contribution to each municipality ?

* **The Hon'ble Rai Rajeshwar Bali** : (a) Twenty-two,

(b) and (c) A statement is laid on the table.

(See Appendix H, page 75.)

* 21. **Khan Bahadur Hafiz Hidayat Husain** : Have any district boards applied to the Government for a contribution towards the cost of tube wells in rural areas ? How have the Government met the application ?

The Hon'ble Nawab Muhammad Yusuf : (a) The answer is in the negative.

(b) Does not arise.

B. A. EXAMINATION OF THE MUSLIM UNIVERSITY, ALIGARH.

* 22. **Khan Bahadur Hafiz Hidayat Husain** : Are Government aware that in the Aligarh Muslim University, B. A. examination is divided into two parts and only those students who pass the Part I examination in all the subjects are allowed to appear in Part II of the B. A. examination ?

The Hon'ble Sir Sam O'Donnell : Yes.

* 23. **Khan Bahadur Hafiz Hidayat Husain** : Does the percentage of passes in the B. A. examination of the Aligarh Muslim University given in the last report of the Director of Public Instruction refer to Part I or Part II of that examination, or to both ?

The Hon'ble Sir Sam O'Donnell : Part II.

* 24. **Khan Bahadur Hafiz Hidayat Husain** : Will the Government be pleased to state why, if the figures given in the Director of Public Instruction's report refer to one part of the examination only, this fact was not explicitly mentioned in the report ?

The Hon'ble Sir Sam O'Donnell : Part II corresponds to the degree examination of other universities.

* 25. **Khan Bahadur Hafiz Hidayat Husain** : Are Government aware that this comparison has raised misunderstanding with regard to the results of the B. A. examination of the Aligarh Muslim University ?

The Hon'ble Sir Sam O'Donnell : No. Part I corresponds to the promotion examination held in other universities.

DISPENSARIES AND SANITARY ARRANGEMENTS DURING *urs* AT
PIRAN KALIAR.

* 26. **Khan Bahadur Hafiz Hidayat Husain** : (i) Are Government aware that about a lakh of people congregate every year at Piran Kaliyar during the *urs* time ?

(ii) Are Government also aware that the sanitary and other arrangements during the *urs* week leave much to be desired?

(iii) Do Government intend to order a few dispensaries to be opened and other sanitary arrangements to be made during the *urs* week?

The Hon'ble Rai Rajeshwar Bali: (i) Yes.

(ii) Sanitary and other arrangements are not entirely satisfactory for want of funds. Under the general control of the sub-divisional officer, Roorkhee, the Sajjada Nashin himself manages the fair and pays for all arrangements.

(iii) The Public Health department already detail a public health personnel consisting of a medical officer of health, a travelling dispensary and sanitary inspectors to supervise the sanitary arrangements every year. On some occasions an assistant director of public health was also deputed to the fair.

REPAIRS TO KACHCHA ROADS IN FATEHPUR.

* 17. **Khan Bahadur Hafiz Hidayat Husain:** (a) Will the Government be pleased to state if Sir Ivo Elliott, when District Magistrate of Fatehpur, pointed out numerous defects to the Fatehpur board in its handling of the problem of repairs to kachcha roads, giving advice as to the method the board should adopt?

(b) Will the Government be pleased to state if the Fatehpur district board has taken any action to remove the defects pointed out by Sir Ivo Elliott? If so, what?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) A special effort to improve the roads in the Khaga tahsil is said to have been made.

PARSENDI ESTATE IN SITAPUR.

* 28. **Rai Bahadur Lala Mathura Prasad Mehrotra:** Will the Government be pleased to state the results of the inquiry as to the indebtedness of the Parsendi estate of Thakur Narendra Vikramajit Singh and Thakur Ram Nath Bakhsh Singh in Sitapur, giving details as follows:—

- (a) the total gross income;
- (b) the amount of revenue paid to Government;
- (c) the total valuation of the estate;
- (d) the amount of debt under registered bonds, with the rate of interest;
- (e) the amount of debt under pro-notes, with the rate of interest;
- (f) the amount of decrees already decided as well as pending in court for final decision?

* 29. If the inquiry has not been conducted on the above lines, will the Government be pleased to do so now and place the facts before the Council?

The Hon'ble Sir Sam O'Donnell: 28 and 29. The Parsendi estate is not under the management of the Court of Wards. Government are unable to supply any information about the private affairs of an individual.

Rai Bahadur Lala Mathura Prasad Mehrotra : Is it a fact that an inquiry was held for this purpose ?

The Hon'ble Sir Sam O'Donnell : I think an inquiry was held under the section of the Court of Wards Act. Yes.

HINDU CHARITABLE REGISTERED AND NON-REGISTERED ENDOWMENTS.

* 30. **Thakur Manjit Singh Rathor :** Will the Government be pleased to supply the following information to the Council regarding the Hindu charitable registered and non-registered endowments with income of Rs. 5,000 and over per year in the districts of Dehra Dun, Saharanpur and Garhwal in the following form :—

Name of endowments.	District.	Annual income.	Name of manager or mahant.	Is manager or mahant assisted by a managing committee ?	Is managing committee elected or nominated ?	Is manager or mahant elected ?	What percentage of income is spent on public utilities like schools or dispensaries.

* **The Hon'ble Rai Rajeshwar Bali :** In these three districts there is only one Hindu charitable endowment registered under the Charitable Endowments Act of 1890 (Act VI of 1890) with an annual income of over Rs. 5,000, and a statement giving the required particulars thereof is laid on the table. Government have no information about non-registered endowments.

(See Appendix I, page 77.)

* 31. **Thakur Manjit Singh Rathor :** Is it the intention of the Government to introduce a Bill for the efficient control and management of Hindu charitable endowments in the United Provinces ?

The Hon'ble Rai Rajeshwar Bali : Government will decide the question of introducing a Bill after they have received and considered the report of the committee which is shortly to be appointed.

Thakur Manjit Singh Rathor : Will Government state if this committee will go into the question of both registered and non-registered endowments ?

The Hon'ble Rai Rajeshwar Bali : They will go into the whole question. I think they will inquire into both registered and non-registered endowments.

TEACHERS AND SUPERVISORS IN DEPRESSED CLASS SCHOOLS.

* 32. **Babu Rama Charana :** How many depressed class schools were started in the year under report, and where ?

* 33. Were any depressed class schools closed during the year under report? If so, where?

The Hon'ble Rai Rajeshwar Bali : 32 and 33. Two statements are placed on the table of the honourable member.

(See Appendix J, page 78.)

* 34. **Babu Rama Charana :** How many supervisors of depressed class schools were there in the year under report in the boards of the different districts of Benares and Rohilkhand divisions and how many of them belonged to the depressed classes? Please give the information district-wise.

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix K, page 82.)

* 35. **Babu Rama Charana :** If any of the supervisors of the depressed class schools in these two divisions did not belong to the depressed classes, will the Government be pleased to give reasons for the same and also if it intends to replace such supervisors by depressed class ones, stating the reason for the answer?

The Hon'ble Rai Rajeshwar Bali : The appointments are made by the boards.

* 36. **Babu Rama Charana :** How many district board depressed class schools were there in the different districts of Benares and Rohilkhand divisions in the year under report and what was the number of scholars in them? Please give the information district-wise.

* 37. Were any of such schools closed in that year? If so, how many and in which districts? Please give the information district-wise.

* 38. How many teachers were there in the depressed class schools of Benares and Rohilkhand divisions and how many of them belonged to the depressed classes? Please give the information district-wise.

The Hon'ble Rai Rajeshwar Bali : 36 to 38. A statement is laid on the table of the honourable member.

(See Appendix L, page 82.)

* 39. **Babu Rama Charana :** Will the Government be pleased to give the reason for the paucity of depressed class teachers in the depressed class schools in these provinces with special reference to Benares and Rohilkhand divisions?

The Hon'ble Rai Rajeshwar Bali : A sufficient number of qualified candidates belonging to the depressed classes are not available.

* 40. **Babu Rama Charana :** Will the Government be pleased to make it a rule to appoint only depressed class teachers in the depressed class schools? If, not, why not?

The Hon'ble Rai Rajeshwar Bali : No. The boards should be given discretion to appoint the most suitable persons available.

DISTRICT BOARD MEMBERS OF BENARES DIVISION.

* 41. **Babu Rama Charana :** How many Hindu members are there in the different district boards of Benares division? How many of

them belonged to the depressed classes? Please give the information district-wise.

The Hon'ble Nawab Muhammad Yusuf: A statement containing the information required is laid on the table.

(See Appendix M, page 83.)

CHAIRMEN OF DISTRICT BOARDS OF BENARES AND ROHILKHAND DIVISIONS.

* 42. **Babu Rama Charana:** Who are the chairmen of the different district boards of Benares and Rohilkhand divisions? Please give the cases in cases of Hindu chairmen.

The Hon'ble Nawab Muhammad Yusuf: A statement is laid on the table.

(See Appendix N, page 83.)

SCHOLARSHIPS TO DEPRESSED CLASS BOYS.

* 43. **Babu Rama Charana:** Will the Government be pleased to name the boards which "give scholarships to boys from the depressed classes to continue their studies in middle schools" and to give reasons for non-grant of such scholarships in the rest of the boards? How many such cases are there? What amount did such boards spend on this account in the year under report?

The Hon'ble Rai Rajeshwar Bali: A statement is laid on the table of the honourable member. The reasons are lack of qualified candidates and want of funds.

(See Appendix O, page 84.)

* 44. **Babu Rama Charana:** What is the percentage of scholarship-holders of the depressed class and high class Hindus, and what is the reason for the difference?

The Hon'ble Rai Rajeshwar Bali: Presumably the honourable member refers to scholarships awarded under rule 64 of the district board educational rules; these scholarships are awarded on grounds of merit. Government have no information as to the percentage of scholarships which various communities have been able to secure.

Mr. C. Y. Chintamani: Will the Hon'ble Minister be pleased to call for reports as to the percentage and number of scholarships that fell to students of the depressed classes in particular, and publish them?

The Hon'ble Rai Rajeshwar Bali: We shall endeavour to collect the information.

TOUR TO JAPAN BY PUBLIC HEALTH DEPARTMENT OFFICER.

* 45. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that some officer of the Public Health department of the United Provinces Government was sent to Japan on a public health tour?

The Hon'ble Rai Rajeshwar Bali: Yes.

* 46. **Pandit Bhagwat Narayan Bhargava:** Was his expenditure met by the Government of India or from provincial funds? What was the total expenditure?

The Hon'ble Rai Rajeshwar Bali: The expenditure was met by the League of Nations. The total amount is not known.

* 47. **Pandit Bhagwat Narayan Bhargava:** Has he submitted any report? If so, will the Government lay a copy of the same before the House?

The Hon'ble Rai Rajeshwar Bali: Yes. A copy of the report is laid on the table.

(See Appendix P, page 86.)

MEAT SHOPS AT MAYAPUR (HARDWAR).

* 43. **Pandit Bhagwat Narayan Bhargava:** (a) Is it a fact that in Mayapur (Hardwar) meat shops have been recently opened?

(b) Is it a fact that there was a feeling about it amongst the pilgrims at Hardwar?

(c) Has the Government received any representation about this from Hindus?

(d) What action has the Government taken on it?

The Hon'ble Nawab Muhammad Yusuf: (a) The answer with regard to meat shops is in the negative.

(b) Does not arise.

(c) No.

(d) Does not arise.

VOTES OF CENSURE ON CHAIRMEN OF LOCAL BODIES.

* 49. **Pandit Bhagwat Narayan Bhargava:** In how many and which municipal and district boards have votes of censure been passed on chairmen, and with what result?

The Hon'ble Nawab Muhammad Yusuf: Information is not yet complete. A reply will be given at a later date.

POOR HOUSES.

* 50. **Pandit Bhagwat Narayan Bhargava:** Have any municipal or district boards got any poor houses? If so, where? What amount do they annually spend on them? Does the Government give any grants for the purpose?

The Hon'ble Nawab Muhammad Yusuf: The municipal boards of Shahjahanpur and Fyzabad and the district boards of Rae Bareilly and Sitapur maintain poor-houses and spend Rs. 776, Rs. 763, Rs. 110 and Rs. 60 per annum on them respectively. Government give no grant towards their maintenance.

RECOGNITION OF INSTITUTIONS BY THE BOARD OF INDIAN MEDICINES.

* 51. **Pandit Bhagwat Narayan Bhargava:** (a) Has the Board of Indian Medicines recognized any institutions till now? (b) If so, (1) which and (2) where?

The Hon'ble Rai Rajeshwar Bali: (a) Yes.

(b) (1) The Rishikul Ayurvedic College, Hardwar, and

(2) The Takmil-ut-tib college, Lucknow.

PETITION WRITER'S FEES.

* 52. **Pandit Bhagwat Narayan Bhargava**: Will the Government state if the district magistrates in Agra province have been empowered to fix any sort of limit to the fee charged by petition-writers for scribing petitions and documents?

The Hon'ble Sir Sam O'Donnell: The answer is in the negative: there is no need to empower them.

SPECIAL DACOITY POLICE AND KANJARS.

* 53. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to lay on the table a statement showing—

- (1) the number of kanjars captured by the Special Dacoity Police;
- (2) the number of kanjars at large;
- (3) the number of persons engaged by the Special Dacoity Police, with the special rates of pay that have been sanctioned for officers in this department?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the honourable member's table.

(See Appendix Q, page 102.)

* 54. **Dr. Shafa'at Ahmad Khan**: How many persons were sent for trial by the Special Dacoity Police, from the beginning of January, 1926, till the end of April, 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Eight hundred and twenty-five.

* 55. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to lay a statement on the table showing the duration of the confinement of such persons in prison before they were actually tried by the courts?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The collection of the information which the honourable member requires will involve an amount of labour which will be disproportionate to its value.

* 56. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to lay a statement on the table showing the total number of persons actually prosecuted by the Special Dacoity Police from the beginning of 1926 till the end of April, 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Eight hundred and twenty-five.

IMPROVEMENT TRUSTS

* 57. **Dr. Shafa'at Ahmad Khan**: (a) Will the Government be pleased to lay a statement on the table showing—

- (1) the amount due by each improvement trust in these provinces;
- (2) the amount, if any, that has been repaid by each trust so far;
- (3) the value of the property of each trust calculated according to its present market value;
- (4) the amount actually spent by each trust on establishments before the committee of 1924 on improvement trusts, and in the year 1926-27;

(5) the estimate of the expenditure of each trust on all the schemes that have been passed by the trust so far, and on which the work has not yet begun ;

(6) the number and kind of schemes sent up by each trust to the Government for sanction, in the financial year 1926-27 ?

(6) Will the Government be pleased to give particulars of all the schemes that are under its consideration for sanction, at the present time ?

The Hon'ble Rai Rajeshwar Bali : (a) A statement is laid on the table.

(b) No scheme is awaiting Government sanction at the present time.

(See Appendix R, page 103.)

NAZUL LANDS.

* 55. **Rao Krishna Pal Singh :** Will the Government be pleased to state the reasons which has led them to issue instructions Nos. 2 and 11 regarding nazul lands sent with G. O. No. 850/IX—445, dated October 4, 1926 ?

The Hon'ble Sir Sam O'Donnell : In the great majority of cases the land occupied by local roads has been public property for many years and has, therefore, been recognized as nazul. In a few cases district boards have acquired, by purchase or gift, land for the purpose of making new roads. In these cases Government recognize that, if such roads are abandoned, it is equitable that the land should either revert to the previous owner, if it was given free to the board, or that it should be at the disposal of the board, if the land was purchased. Steps will be taken to amend rule 2 of the rules regarding nazul, issued in Government order No. 850/IX—445, dated October 4, 1926, accordingly.

* 59. **Rao Krishna Pal Singh :** Is the Government aware that the local roads were constructed by the districts boards after acquiring lands from zamindars with or without the payment of compensation ?

* 60. Is the Government aware that the district boards spend lakhs of rupees annually on the maintenance of these roads ?

* 61. (a) Is the Government aware that the inclusion of roads in the nazul property will deprive the persons who gave the land to the board of the right of getting it back when the roads are abandoned ?

(b) If so, does the Government wish to discourage the zamindars from giving their land free of compensation for such public purpose ?

The Hon'ble Sir Sam O'Donnell : 59 to 61. The honourable member is referred to the answer given to question No. 58.

* 62. **Rao Krishna Pal Singh :** Is the Government aware that the district boards spend a considerable amount of money in planting trees on road-sides and derive decent recurring income out of the sale of these trees and their crops ? Will the district board lose this income if rule 11 is applied to them ?

The Hon'ble Sir Sam O'Donnell : Under rule 11 of the rules referred to in the answer to question No. 58, district boards are allowed to keep the proceeds of the sales of fruit of roadside trees, but are required

to credit to Government the value of trees allowed to be felled and sold outright. This rule was made owing to the reckless action of a certain district board which allowed a large number of mature, but still vigorous roadside trees to be felled with a view simply to raising income in this way. Under the rules regulating the management of roadside avenues published with Government Order No. 977/IX—209 (17)-23, dated September 15, 1925, the powers of district boards have been restricted in dealing with these avenues, and the recurrence of such action by a board is no longer possible. Government will, therefore, now modify rule No. 11 so as to allow district boards the same privilege of receiving the sale-proceeds of mature or dead trees, when sold or felled, as are enjoyed by zamindars who have planted roadside trees on local roads.

* 63. **Rao Krishna Pal Singh:** Is the Government also aware that private persons too have been allowed to plant trees on roadsides at their own expense and maintain rights of ownership in them? Will this rule deprive them of such rights as well?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to question No. 62.

* 64. **Rao Krishna Pal Singh:** Will the Government be pleased to lay a statement on the table showing the yearly income that each board in the province derives by the sale of trees which the Government mean to appropriate for themselves by the enforcement of the above rule?

The Hon'ble Sir Sam O'Donnell: A statement giving the information required is laid on the table.

(See Appendix S, page 104.)

* 65. **Rao Krishna Pal Singh:** Do Government intend to consider and rescind the rules Nos. 2 and 11 so far as local roads and the income from the sale of roadside trees and their crops are concerned?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to question No. 62.

ABID HUSAIN, VETERINARY ASSISTANT SURGEON, SIDHAULI.

*66. **Babu Ganesh Shankar Vidyarthi:** (a) Is it a fact that veterinary assistant surgeon Abid Husain, Sidhauli, was dismissed from his services? If so, by whom, and on what charges?

(b) Is it also a fact that the same assistant surgeon was reinstated? If so when, and by whom?

(c) Did the man prefer any appeal from his order of dismissal, or did he put in any fresh application to the department for being re-appointed? If not, how was he re-appointed?

The Hon'ble Thakur Rajendra Singh: (a) Veterinary assistant surgeon Abid Husain was dismissed by the officiating Veterinary Adviser to Government on charges of extorting money from villagers.

(b) The answer is in the negative.

(c) The veterinary assistant surgeon did not prefer any appeal, but put in an application asking for pardon before the permanent Veterinary Adviser, who ordered that he would be given temporary appointments if no other suitable men were available. Government have told the Veterinary Adviser that this man is not eligible for further service under the Government.

LIBRARIES IN JAILS.

* 67. **Babu Ganesh Shankar Vidyarthi:** Will the Government be pleased to state—

- (a) how many jails have got libraries for the use of the prisoners ;
- (b) how many books are in these libraries ;
- (c) how many of these are in English ;
- (d) how many of them are in Hindi and Urdu ;
- (e) at what time the prisoners use these books ;
- (f) are they allowed to read for some time in the night ?

* **The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

- (a) 51.
- (b) 3,002.
- (c) 991.
- (d) Hindi—1,000; Urdu—234.
- (e) In their spare time and on holidays.
- (f) No.

PARTIALITY IN ADMISSION TO AGRICULTURAL SERVICE.

* 68. **Babu Ganesh Shankar Vidyarthi:** Will the Government be pleased to state whether in 1926-27 certain students having passed diploma course of Agricultural College of Cawnpore, having higher pass marks, were superseded by some students having an inferior position among the passed candidates, merely on communal considerations ?

* **The Hon'ble Thakur Rajendra Singh:** The examination of the Agricultural College, Cawnpore, is not treated as a competitive examination for admission to the agricultural service. Appointments to that service are made on a consideration of the position attained by the candidates on the list, their general suitability for agricultural service, and of the proper representation of the Muslims and non-Muslims in the service.

LONDON MISSION SCHOOL, BENARES.

* 69. **Babu Kavendra Narayan Singh:** Is it not a fact that the London Mission School, Benares, gets a monthly grant from the Benares Cantonment Committee on the positive understanding that it entirely educates the boys residing within the cantonment area ?

* 70. Is the Government aware of the fact that in the London Mission School, Benares, there are endowments for specific purposes and having separate designations, e.g. Centenary Scholarship fund, Burn Memorial Scholarship fund and probably some sort of endowment by the Vizianagram raj ?

* 71. Is the Government aware that the said school is practically self-supporting ? If not, will the Government be pleased to ascertain from the London Mission Society the sum of money they spend over it ?

* 72. Will the Government be pleased to ask the London Mission Society to submit a statement showing the occasional subscriptions

given to the institution by the public and the sum of money spent out of the Mission society fund for the secular education of the boys a part from their religious training?

The Hon'ble Rai Rajeshwar Bali : 69 to 72. An answer will be given at a later date.

CIVIL SURGEONS' CLERKS' MEMORIAL FOR PROMOTION.

* 73. **Babu Ganesh Shankar Vidyarthi :** Will the Government be pleased to state whether any memorial was submitted to Government through the Inspector-General of Civil Hospitals in 1926 by the Clerks' Association, United Provinces Medical department, i.e., civil surgeons' clerks, for their promotion? If so, what was the reply given to them? If no reply has been given yet, when is it expected to be given?

73. The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) and (c) Do not arise.

MOSLEM CONSTITUENCIES IN DISTRICT BOARD NAINI TAL.

* 74. **Khan Bahadur Hafiz Hidayat Husain :** (a) Into how many Moslem constituencies is Naini Tal sub-divided for the district board elections?

(b) What are the names of these constituencies?

(c) What is the number of voters in each constituency?

(d) Are they single-member constituencies?

(e) Did all these constituencies return their members in 1922 and 1925?

(f) If not, which constituency or constituencies did not return the members and the reasons for not so returning?

(g) How did the Government arrange for the seats?

(h) Have Government considered the advisability of reducing the number of constituencies by joining them together in order to secure proper representation to the Naini Tal district board?

74. The Hon'ble Nawab Muhammad Yusuf : (a), (b) and (c) A statement is laid on the table.

(d) Yes.

(e) No.

(f) The constituencies of Bhim Tal, Kitcha, Sattarganj and Khatima in 1922 and those of Bhim Tal, Kashipur, Jaspur, Bazpur, Sattarganj and Khatima in 1925 did not return their members. Their failure to do so was probably due to lack of interest in politics.

(g) In exercise of the powers conferred by rule 33 of the District Board Election Rules the District Magistrate filled up the vacant seats by nomination.

(h) It is not possible under the Act to set up constituencies returning more than a single member; but in view of the special circumstances of the district an inquiry will be made whether the polling circles can be more conveniently combined.

(See Appendix T, page 105.)

PRISONERS CONVICTED IN THE KAKORI CONSPIRACY CASE.

*75. **Pandit Govind Ballabh Pant:** (a) Will the Government be pleased to state what is the social and educational status of the prisoners convicted in the Kakori conspiracy case?

(b) Which of them went on hunger strike, and for how long?

(c) What treatment is being accorded to them in the jails?

(d) Where are they located?

(e) What sort of food are they getting?

(f) Did the Government receive any communication from the honourable member for Cawnpore city regarding the treatment of the said prisoners in jails? If so, what reply did Government send to him?

(g) Was Government asked by individuals and also by the press to make a public statement regarding the hunger-strike of the Kakori prisoners? If so, was such a statement made?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Government regard social status as a matter of opinion. A statement is laid on the table showing the educational status of the convicts so far as Government have been able to ascertain it.

(b) and (d) A statement is laid on the table.

(e) They are being treated in accordance with the rules in the Jail Manual governing the treatment of convicts sentenced to rigorous imprisonment.

(f) The ordinary diet prescribed for convicts in the Jail Manual. Those who are Bengalis are getting rice diet.

(g) Yes, his letter was acknowledged.

(a) (1) This suggestion was made in one daily paper and in a letter published therein.

(2) No.

(See Appendix U, page 103.)

Babu Sampurnanand: What was the nature of the communications received from the member for Cawnpore?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not remember the communication by heart, but some complaint was made about the treatment of the Kakori dacoity prisoners.

Babu Sampurnanand: Was an inquiry made to find out whether these complaints were correct?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We sent the letter to the Inspector-General of Police to look into the matter, and if there was anything wrong it would be rectified.

Babu Sampurnanand: What was the result of the inquiry from the Inspector-General of Police?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We sent the letter to the Inspector-General. We made no inquiry.

Babu Sampurnanand: Is Government aware that he made an inquiry?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Babu Sampurnanand : Why was no statement published by Government as regards the hunger strike ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government did not think it necessary at that time.

Babu Sampurnanand : Is Government not aware that the hunger strike was for some 45 days and that there was a good deal of public anxiety on the point.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government is not aware of it. Moreover the hunger strike was voluntary on the part of the prisoners.

Babu Sampurnanand : What special arrangements did Government make during this hunger strike ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There was no need for any special arrangements. The food was there and they refused to take it.

Babu Sampurnanand : Was any forcible feeding resorted to ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : May be. I am not aware.

Babu Sampurnanand : Does Government think ?

The Hon'ble the President : This is asking for an expression of opinion.

Thakur Manjit Singh Rathor : What reply was sent to the Cawnpore member ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No reply was sent to him except an acknowledgement. And there is another thing which with your permission I may make clear to the House—that if there is any suggestion that the hunger strike was resorted to because there was ill-treatment in the jail, this is conclusively negatived by the statement which shows that the prisoners were scattered in various jails; they were in the Naini jail, in Agra, Allahabad and different jails and all of them started the hunger strike on the same day. This shows clearly that the hunger strike was not due to ill-treatment in jail but was the result of a premeditated programme that on such a day they were all to go on hunger strike.

The Hon'ble the President : I am afraid the honourable member is leading to a debate on the point.

Thakur Manjit Singh Rathor : Are the Bengali prisoners given fish as part of their diet or only rice ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no fish.

Thakur Manjit Singh Rathor : Does the honourable Home Member know that rice alone is not sufficient diet for these prisoners ?

The Hon'ble the President : This does not arise out of the question on the paper.

TREATMENT OF PRISONERS IN JAILS.

*76. **Pandit Govind Ballabh Pant:** (a) Has the Government accepted the principle that prisoners in jails should be classified according to their social status and so far as possible the mode of their living outside should be taken into account in their treatment inside the jails?

(b) Has the Government accepted the principle that racial distinction should not be made in the treatment of prisoners?

(c) Will the Government be pleased to state how many European, Anglo-Indian and non-Indian prisoners were confined in the jails in these provinces during the month of May?

(d) For what offences had they been convicted and to what terms of imprisonment had they been sentenced?

(e) What was the diet provided for every one of such prisoners?

(f) Where were they confined?

(g) Was any one among them allowed the use of any fans? If so, who?

(h) Was any one among the Kakori prisoners given similar diet and the use of fans?

* **The Hon ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) and (b) The honourable member is referred to the answers given to starred questions Nos. 127 of June 21, 1927, and 35 of June 27, 1927.

(c) Seventeen.

(d) A statement is laid on the table.

(e) They were dieted in accordance with the provisions of paragraph 1049 of the Jail Manual.

(f) Agra Central prison	...	...	...	1
Naini Central prison	...	...	...	16

(g) The convict in the Agra Central prison was not allowed a *punkha*. The sixteen convicts in the Naini Central prison were provided with *punkhas*.

(h) The Kakori prisoners were given the diet prescribed for Indian convicts in the Jail Manual. They were not provided with *punkhas*.

(See Appendix V, page 108.)

(Copy of starred question No. 127 of June 21, 1927, asked by KHAN BAHADUR HAFIZ Hidayat Hussain Sahib and the answer given thereto.)

QUESTION.

* Have Government considered the question of re-classification of prisoners in jails according to their social status? Has Government's decision been incorporated in the new Jail Manual?

ANSWER.

* The Government believe that prisoners in jails are not classified according to their social status in any civilized country in the world. They do not propose to attempt any such classification and have not incorporated in the new Jail Manual any provisions to that end. If in the term "classification according to social

status" the honourable member means to include the grant of special diet on the ground that ordinary jail diet is physiologically unsuitable for a prisoner having regard to the dietary to which he is accustomed, Government have included a provision to enable special diet to be given in such cases. A copy of the rule is laid on the table.

Jail Manual, chapter XXX—Dietary.

Rule 14 —In any case in which the superintendent considers the prescribed diet to be physiologically unsuitable for consumption by a prisoner having regard to the dietary to which he is accustomed, he may recommend, in writing, that a special diet shall be given. Such special diet shall require the sanction of the Inspector-General.

(Copy of starred question No. 35 of June 27, 1927, asked by BABU SAMPUERNANAND SAHIB and the answer given thereto.)

QUESTION.

* Does Government intend to put them (Kakori prisoners) on a similar footing, as regards treatment in jail, as Europeans and Anglo-Indians who have received sentences of rigorous imprisonment?

ANSWER.

* In the new rules in the revised Jail Manual there is no distinction between prisoners based on racial grounds.

RIGHT OF GRAZING CATTLE IN VILLAGES OF PAURI.

* 77. **Mr. Mukandi Lal** : Will the Government be pleased to state whether the residents of Pauri, Chyunchiya and Kandi villages who live in the vicinity of Pauri, have any right of concession of grazing cattle in, and taking fuel and grass from any adjoining forests?

* 78. Is it the intention of the Government to allow the villagers of the above villages to graze their cattle in and take grass and fuel from the Nagdeo, Jhandi, Pathrya and Kondoliya forest blocks?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : 77 and 78. The residents of these three villages are allowed to graze cattle in all forests except in 219 acres of plantation and to cut grass except in 75 acres of plantation. The greater part of the area under tree forest at Pauri is a fuel reserve for the supply of Pauri. In accordance with the general rules governing fuel reserves the villagers have not been allowed to take any fuel from this fuel reserve. But it is now proposed to allow villagers to enter the felling areas after the fellings and to collect branch wood under 1½ inches thick which is not taken by the fuel contractor.

Mr. Mukandi Lal : May I know whether these 219 acres are included in these three villages or whether they are a separate plantation?

The Hon'ble the President : The Hon'ble the Home Member will perhaps require notice.

Mr. Mukandi Lal : My question was whether the people of these three villages have any right or concession of grazing cattle in and taking fuel and grass from any adjoining forest and the answer was that they are allowed to graze cattle in all forests except in 219 acres of plantation. I want to know whether these 219 acres are included in these three villages or whether they are a separate plantation.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I shall require further notice.

Mr. Mukandi Lal : When were these people allowed these rights, after receipt of these questions, or before?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Before.

Mr. Mukandi Lal: Is the Government aware that the Kumaun Forest Committee has recommended that a certain area should be reserved for fuel reserve?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not remember. The Committee might have recommended that. I require further notice.

Mr. Mukandi Lal: Is it the intention of the Government to allow these villagers to take dry leaves from the fuel reserves?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We will consider it.

*** 79. Mr. Mukandi Lal:** How much money was realized for grazing grass and fuel-cutting from the people of the above villages in the year 1926-27 either as fine or compensation?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The amount of compensation realized for forest offences during the year 1926-27 was—

						Rs. a. p.
Pauri ..	..	..	..	..	..	30 12 0
Chyunchiya ..	..	..	..	..	..	2 8 0
Kandai ..	..	..	..	..	..	13 0 0

There were no fines during 1926-27.

*** 80. Mr. Mukandi Lal:** What is the total amount of fines or compensations realized from villagers in the North Garhwal division and Lansdowne division in the year 1926-27 for illicit grass-taking or tree-cutting or grazing, etc.?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The total amount of fines and compensation realized from villagers in the year 1926-27 was as follows:—

						Rs. a. p.
Garhwal division (old north and south Garhwal division combined.)						2,695 0 0
Lansdowne division	..	..	..	..	..	489 4 0

ELECTORAL RULES FOR LEGISLATIVE COUNCIL.

*** 81. Pandit Bhagwat Narayan Bhargava:** Has the Government seen the electoral rules for the Central Provinces Legislative Council specially concerning the voting by illiterate voters?

The Hon'ble Sir Sam O'Donnell: Yes.

*** 82. Pandit Bhagwat Narayan Bhargava:** Do Government intend to recommend to higher authorities the revision of the United Provinces rules of the same lines?

The Hon'ble Sir Sam O'Donnell: No.

MUNICIPAL AND DISTRICT BOARDS' CONTRIBUTION TOWARDS DISPENSARIES.

*** 83. Pandit Bhagwat Narayan Bhargava:** Will the Government state how many municipal and district boards have settled the question of contribution towards the maintenance of dispensaries within municipal areas? In how many cases had the Government to apply its rules and in how many districts has no action been taken?

The Hon'ble Rai Rajeshwar Bali : (a) 24 district boards and 44 municipal boards.

(b) Three.

(c) Action is being taken in the remaining districts.

EXAMINATIONS PASSED BY WOMEN.

* 84. **Pandit Bhagwat Narayan Bhargava :** Will the Government give the number of Hindu and Muhammadan women in the United Provinces who have passed any examinations from Matriculation up to M.A.?

The Hon'ble Rai Rajeshwar Bali : A statement giving the latest figures available is placed on the table of the honourable member.

(See Appendix W, page 109.)

DELEGATION OF POWERS BY THE MUNICIPAL BOARD, MAU.

* 85. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if the municipal board of Mau (Jhansi) has delegated its powers under section 314 of the Municipalities Act to any police officers of Mau? If so, will it lay a copy of its resolution or order on the table? Has the secretary of the municipality been delegated any powers (scheduled) of the executive officer? If so, what?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) Does not arise.

(c) The scheduled powers of the executive officer under the following sections have been delegated to the secretary :—142, 143(1), 143(2) 147(2), 148(1), 150(2), 151(1), 151(2), 152(1), 158, 166, 168, 169, 172(1) and (2), 172(3), 178(1), 179(1), 179(2), 196 c) and (d), 201(1), 202(1), 213, 214, 215, 216, 217(1) (b) and (c), 218, 223, 240, 245(1), 249, 250(2), 256, 258, 264, 265, 267, 268, 269, 270, 271, 273(1) (a), 275(1), 275(3), 276, 277, 280, 283, 284(1), 291, 293, 294, 309, 314, and 317.

PROSECUTIONS BY POLICE OF MAU.

* 86. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the police of Mau has prosecuted about fifty persons, including some municipal commissioners and *raises*, under section 255 of the Municipalities Act in the months of April and May, 1927?

The Hon'ble Nawab Muhammad Yusuf : Reports for the prosecution of 38 persons under section 255 of the Municipalities Act, among whom there was no municipal commissioner or *rais*, were sent by the police to the court of the tahsildar of Mau. But only one case, that of the election agent of the honourable questioner, was actually taken up.

* 87. **Pandit Bhagwat Narayan Bhargava :** How many persons were actually sent up for trial and to which court?

The Hon'ble Nawab Muhammad Yusuf : One person only was actually sent up for trial to the court of the tahsildar of Mau, as the local honorary magistrate was on two months' leave.

* 88. **Pandit Bhagwat Narayan Bhargava :** (a) Did the police produce before the court any resolution or order of the board authorizing the

police under section 314 of the Act? (b) If so, on which date? (c) Will the Government lay a copy of the authority on the table?

The Hon'ble Nawab Muhammad Yusuf: (a) No

(b) and (c) Do not arise.

* 89. **Pandit Bhagwat Narayan Bhargava:** (a) On which date did the court take cognizance of the cases?

(b) On which date or dates were summonses issued to the accused?

The Hon'ble Nawab Muhammad Yusuf: (a) The one case that was prosecuted was taken cognizance of on May 11, 1927.

(b) May 11, 1927.

* 90. **Pandit Bhagwat Narayan Bhargava:** What was the result of these cases?

The Hon'ble Nawab Muhammad Yusuf: The proceedings in the case were declared void by the District Magistrate in an order passed on an application for transfer on behalf of the accused.

* 91. **Pandit Bhagwat Narayan Bhargava:** (a) Will the Government state how many prosecutions were launched by the police of Mau during the last three years under section 255 of the Municipalities Act? (b) What has been the number of prosecutions and persons prosecuted under section 34 of the Police Act in May, 1927?

The Hon'ble Nawab Muhammad Yusuf: (a) One.

(b) Nineteen cases covering 20 persons.

* 92. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state in how many cases did the police officers of Mau send information to the municipal board as required by section 317 of the Municipalities Act during the year ending March 31, 1927? How many related to section 34 of the Police Act?

The Hon'ble Nawab Muhammad Yusuf: The police did not give information under section 317 of the Municipalities Act to the municipal board in any case.

TAHSILDAR OF JHANSI DISTRICT.

* 93. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that one tahsildar of Jhansi district was caught at the railway station, Jhansi, by his sub-divisional officer after midnight while absent from his tahsil without leave? If so, when?

The Hon'ble Sir Sam O'Donnell: Yes, between 2 and 3 o'clock on the night of March 6/7, 1927.

* 94. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that inquiry into his absence was made by the district magistrate in his court room?

The Hon'ble Sir Sam O'Donnell: The collector held inquiries both in his court and at Garautha.

* 95. **Pandit Bhagwat Narayan Bhargava:** How many days' absence at a time and on how many occasions was proved against him?

The Hon'ble Sir Sam O'Donnell: The tahsildar's absences are—

(1) From the night of February 7, 1927, till half day of February 8, 1927.

(2) From February 10, 1927, after doing court work till 2 p.m. on February 11, 1927.

(3) From 11 a.m. on February 16, 1927, till morning of February 20, 1927.

(4) From March 3, 1927, to the morning of March 7, 1927.

* 96. **Pandit Bhagwat Narayan Bhargava**: Did he draw any travelling allowance or daily allowance for the days of his actual absence? If so, what amount?

The Hon'ble Sir Sam O'Donnell: He drew daily allowance for the periods (1) to (3) for the month of February at the rate of Re. 1-12 per day, i.e. Rs. 15-12 for nine days.

* 97. **Pandit Bhagwat Narayan Bhargava**: For what did he draw the travelling allowance, if any? Did he charge it on all occasions for himself or also for his peons and ahalkars?

The Hon'ble Sir Sam O'Donnell: No break was shown in his tour for these absences and the travelling allowance bill was subsequently submitted in the ordinary course. As his reader was also on tour travelling allowance was also drawn by him.

* 98. **Pandit Bhagwat Narayan Bhargava**: Was this matter brought to the notice of the Accountant-General or the auditors?

The Hon'ble Sir Sam O'Donnell: The bills were sent to the Pay and Accounts Officer before the absences came to light. The amounts wrongly drawn are now under recovery.

* 99. **Pandit Bhagwat Narayan Bhargava**: (a) When did the district magistrate finish his inquiries?

(b) When did he send the papers to the commissioner or Government?

(c) What recommendation did the district magistrate make in his case?

(d) How many charges were framed against him, and what was their nature?

(e) What orders did the commissioner pass on it? Were the papers perused by the Government.

The Hon'ble Sir Sam O'Donnell: (a) The collector finished his inquiries on April 29, 1927.

(b) He submitted the papers to the commissioner on May 4, 1927.

(c) The collector recommended that the tahsildar be reduced to the rank of naib-tahsildar.

(d) Eight charges were framed against the tahsildar, of which a copy is laid on the honourable member's table.

(e) The commissioner stopped his promotion until he is well reported on again for a minimum period of one year.

(See Appendix X, page 110.)

* 100. **Pandit Bhagwat Narayan Bhargava**: Is the promotion of this tahsildar due in the next year?

The Hon'ble Sir Sam O'Donnell: He would have been due for promotion almost immediately if his promotion had not been stopped.

* 101. **Pandit Bhagwat Narayan Bhargava :** To which district has the tahsildar been now posted?

The Hon'ble Sir Sam O'Donnell : The tahsildar has now been posted to the Jhansi district.

CASE AGAINST PANDIT SUKHNANDAN LAL PATHAK OF ORAI.

* 102. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that a case under section 417 of the Indian Penal Code was started against Pandit Sukhnandan Lal Pathak, zamindar of Orai, on the report of the assistant surgeon of Orai hospital?

The Hon'ble Rai Rajeshwar Bali : Yes.

* 103. **Pandit Bhagwat Narayan Bhargava :** Has the attention of the Government been drawn to the judgement of the Sessions Judge, Jhansi, who has acquitted him in appeal?

The Hon'ble Rai Rajeshwar Bali : Yes.

* 104. **Pandit Bhagwat Narayan Bhargava :** Has the sessions judge disbelieved the assistant surgeon and his compounders? Were they also disbelieved by the lower court?

The Hon'ble Rai Rajeshwar Bali : Yes, on certain points.

* 105. **Pandit Bhagwat Narayan Bhargava :** How much money was spent by the Government on the prosecution of this case?

The Hon'ble Rai Rajeshwar Bali : Rupees 270-3.

* 106. **Pandit Bhagwat Narayan Bhargava :** What was the nature of the case started, and what was the price of the medicine for which prosecution was started?

The Hon'ble Rai Rajeshwar Bali : The case was one of cheating under section 417, Indian Penal Code, in order to get quinine from the hospital without authority from the medical officer in charge. The price of the medicine was three annas.

* 107. **Pandit Bhagwat Narayan Bhargava :** Does the Government approve of the action and conduct of the assistant surgeon?

The Hon'ble Rai Rajeshwar Bali : Government do not find anything reprehensible in the action or the conduct of the assistant surgeon.

JUDGESHIP AT JAUNPUR.

* 108. **Raja Sri Krishna Dutt Dubé :** (a) Is the Government aware of the great inconvenience caused to the public of Jaunpur district by the removal of civil court records from Jaunpur to Benares?

(b) Will the Government consider the advisability of re-transferring the records back to Jaunpur?

(c) Will the Government consider the advisability of ascertaining public opinion on this point?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Government have received no such complaint. Records are not removed to Benares until fifteen years after the decision of a case.

(b) and (c) Government have consulted the High Court and see no necessity to do so at present.

***109. Raja Sri Krishna Dutt Dube :** (a) Is the Government aware that the removal of district judge's court from Jaunpur to Benares consequent on the adoption of Greeven's scheme, has been a source of great inconvenience to the litigant public of Jaunpur?

(b) What economy has the removal of the district judgeship from Jaunpur to Benares brought about in the civil justice expenditure?

(c) Do Government intend to consider the advisability of re-establishing district judgeship at Jaunpur?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No complaint of inconvenience has come to the notice of Government or of the High Court.

(b) Approximately Rs. 27,000 per annum.

(c) Government have no such intention at present.

MOTOR CARS IN DEHRA DUN.

***110. Thakur Manjit Singh Rathor :** Will the Government be pleased to state the number of motor cars, motor lorries and busses plying in Dehra Dun in 1927 and 1913?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

[See Appendix Y, page 111.]

CONFISCATION OF GUNS IN KUMAUN.

***111. Mr. Mukandi Lal :** Will the Government be pleased to state how many guns were confiscated or how many owners were made to surrender their guns to the Government within the last five years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table.

[See Appendix Z, page 111.]

Mr. Mukandi Lal : Is it a fact that the weapons were confiscated because the licenses were not renewed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot say anything about any reason, but confiscation always takes place when the law has been broken. Thus there is a difference between surrender and confiscation.

Mr. Mukandi Lal : Is the price of the guns that were surrendered included in the figure?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have given two figures, one for confiscated arms and another for the arms surrendered. In the figures for confiscated arms the figures for confiscated arms are given and in the figures for surrendered arms the figures for surrendered arms are given.

Mr. Mukandi Lal : Is it the intention of the Government to refund to the owners the price of the guns taken by the Government on surrender.

The Hon'ble Lieut. Nawab Muhammad :
understand that in such cases generally
the guns within a year and within that
they cannot sell them then, of course, th

Mr. C. Y. Chintamani: Is the surrender voluntary or under compulsion?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: It may be voluntary or compulsory. The difference between confiscation and surrender is this. When arms are confiscated it is always for breaking the law. If the collector says "I cancel the licence" then it comes under surrender.

Mr. C. Y. Chintamani: What is the difference between surrender by compulsion and confiscation?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not make out the difference.

*112. **Mr. Mukandi Lal:** What was the amount of the price fetched by the sale of confiscated guns and how much of it was handed over to the owners of those guns?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The sum realized from sale of confiscated guns was as follows:—

	Rs. a.		
In Garhwal	13 0
In Naini Tal	24 0
In Almora	107 8

No part of this sum was handed over to the original owners, as the weapons on confiscation became the property of Government.

*113. **Mr. Mukandi Lal:** How many thus confiscated or surrendered guns are still with the district authorities in each of the three districts and how much is their approximate value?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

(See Appendix AA, page 111.)

*114. **Mr. Mukandi Lal:** Does the Government propose to pay the owners the price of such guns or allow them to find customers for them or get them otherwise sold?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to section 16(2) of the Arms Act and to rule 85(5) of the United Provinces Arms Rules and Orders.

CIVIL AND CRIMINAL SUITS IN KUMAUN,

*115. **Mr. Mukandi Lal:** Will the Government be pleased to lay on the table in a tabular form information on the following points for the last five years until the end of May, 1927, regarding each of the sub-divisional courts of the districts of Garhwal, Almora and Naini Tal:—

(a) Number of the (i) revenue, (ii) criminal and (iii) civil suits decided.

(b) (i) The date of first hearing, (ii) the date of the last hearing (when the evidence was closed and arguments concluded), (iii) and the date on which the order or judgement was passed.

- (c) (i) The date on which accused in a criminal case first appeared before the court, (ii) the date on which prosecution evidence was concluded, (iii) if the accused were discharged the dates of the order of discharge, and (iv) if the accused were acquitted or convicted the date of the order or sentence of such acquittal or conviction ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Statements containing the information asked for in part (a) are laid on the table. In order to obtain the information asked for in parts (b) and (c) an immense amount of detailed inquiry would be necessary which Government are not prepared to undertake.

(See Appendix BB, page 112.)

Mr. Mukandi Lal : Has the Government estimated the amount of labour and the cost for undertaking this inquiry ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I shall leave it to the common sense of the honourable member.

Mr. Mukandi Lal : Is it a fact that in ordinary inspections the officers who are deputed by the Government to make the inspections find the records in the ordinary course ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of it.

ESTATE OF CHAUDHRI JAWAHIR SINGH OF SAHASPUR, DEHRA DUN.

*116. **Thakur Manjit Singh Rathor :** Will the Government be pleased to put the following information before the Council :—

- (a) In what year was the estate of Chaudhri Jawahir Singh of Sahaspur, district Dehra Dun, taken under the Court of Wards ?
- (b) To what extent was the estate encumbered at the time of taking the estate under the Court of Wards ?
- (c) What is the indebtedness of the estate at the present time ?

The Hon'ble Sir Sam O'Donnell : (a) 1912.

(b) Rupees 1,95,929.

(c) Rupees 19,538, on September 30, 1926.

*117. **Thakur Manjit Singh Rathor :** Will the Government be pleased to state what is the income and expenditure under main heads of the estate during the years that the estate has been under the Court of Wards ?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the table.

(See Appendix CC, page 115.)

* 118. **Thakur Manjit Singh Rathor :** Will the Government be pleased to state the names of the ziladars in charge of collecting the revenues of the estate during the period it has been under government management ?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the table.

(See Appendix DD, page 116.)

[Oct. 29, 1927.]

* 119. **Thakur Manjit Singh Rathor** : Is it a fact that since the time that Chaudhri Jawahir Singh has been appointed ziladar, the revenues of the estate have appreciably increased? If the answer is in the affirmative what is the extent of the increase?

The Hon'ble Sir Sam O'Donnell : There was an increase of Rs. 1470 in the total receipts for the year 1925-26 as compared with the year 1924-25. Chaudhri Jawahir Singh was ziladar for only nine months of that period, and it cannot be said how much of the increase is due to his efforts.

* 120. **Thakur Manjit Singh Rathor** : Is it the intention of the Government to release the estate from the Court of Wards? If so, when do they intend to do so?

The Hon'ble Sir Sam O'Donnell : No question of the release of the estate is at present under contemplation, because the debt will not be paid up in full before another three years.

Thakur Manjit Singh Rathor : With regard to the answer to the above question is it necessary that the whole debt should be paid in full before the estate should be released?

The Hon'ble Sir Sam O'Donnell : It seems to be the practice not to release the estates until the debts are paid.

Thakur Manjit Singh Rathor : Is it not a fact that certain estates have been released prior to the debt being paid?

The Hon'ble Sir Sam O'Donnell : There may be such cases. Every case is to be taken on its merits.

Thakur Manjit Singh Rathor : Will the Government kindly note that in this particular case the debt to be paid is only 5 per cent.

The Hon'ble Sir Sam O'Donnell : I think it is 10 per cent, as a matter of fact.

Thakur Manjit Singh Rathor : Only 10 per cent. of the debt has not been paid. Ninety per cent. has been paid. Under the circumstances . . .

The Hon'ble Sir Sam O'Donnell : That seems to be an arguement rather than a question.

Thakur Manjit Singh Rathor : With regard to the information given in the list of ziladars will the Government kindly note that since June 6, 1924, since the time that Chaudhri Jawahir Singh has been made ziladar the estate has been making considerable improvement?

The Hon'ble Sir Sam O'Donnell : I have no doubt that his efforts will be duly appreciated by his superior officer.

Mr. A. P. Dube : May I know if the Collector will let a ward know, in case he inquires from him, how much debt he has to pay?

The Hon'ble the President : That makes it a hypothetical question.

Thakur Manjit Singh Rathor : Will the Government now consider the release of this estate?

The Hon'ble Sir Sam O'Donnell : I have just answered the question. It is not under contemplation.

Mr. A. P. Dube: May I know if the Collector will inform a ward of the amount of his debt in case he wishes to pay it and he asks for this information?

The Hon'ble Sir Sam O'Donnell: I have no doubt the Collector will do so.

Thakur Manjit Singh Rathor: Do the Government know that the ward is prepared to pay the remaining liability of Rs. 19,538?

The Hon'ble Sir Sam O'Donnell: No.

Thakur Manjit Singh Rathor: In case he is prepared to pay the debt, will the Government be ready to consider the release of his estate?

The Hon'ble Sir Sam O'Donnell: It will be a matter for consideration first by the Board of Revenue.

PROHIBITION OF A LEGAL PRACTITIONER FROM APPEARING
IN FYZABAD GANG CASE.

*121. **Chaudhri Badan Singh:** Is the Government aware that, in November, 1926, a legal practitioner was stopped from appearing for an accused in the Fyzabad gang case No. 1 by the presiding judge on the grounds of his being a relation of the presiding judge?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The counsel in question was not prohibited from appearing in the case. It was pointed out to him that the circumstance that he was related to the presiding judge might give rise to comment, and he presumably withdrew from the case as he never entered an appearance.

RESEARCH SCHOLARSHIPS IN MATHEMATICS.

*122. **Chaudhri Dharamvir Singh:** Since 1920 how many research scholarships in Mathematics have up till now been granted in the Allahabad University? Which of the research scholars have produced any research papers, and in which journals or magazines were those papers published?

The Hon'ble Rai Rajeshwar Bali: Since the re-organization of the Allahabad University in July, 1922, only two research scholarships in Mathematics have been granted.

No research papers have so far been published. Information of scholarships awarded prior to July, 1922, is not available.

Chaudhri Dharamvir Singh: Have the papers been produced or not?

The Hon'ble Rai Rajeshwar Bali: So far as I am aware, no such papers have been produced.

CATTLE SLAUGHTERED IN THE UNITED PROVINCES.

*123. **Chaudhri Dharamvir Singh:** Will the Government be pleased to state the total number of cows and bulls slaughtered in each of the years 1920 to 1926 in the United Provinces? How many were in each year, slaughtered for the use of the army, for festival and how many for the daily use of the people?

The Hon'ble Nawab Muhammad Ali: is referred to the answers to starred Q

December 14, 1925. Since complete and accurate statistics are not available, the collection of the further information asked for will involve an expenditure of labour and time which will not be commensurate with the advantage gained.

Chaudhri Dharamvir Singh : Will the Government kindly give the Council the estimate of labour and time, which the collection of this inquiry will involve ?

The Hon'ble Nawab Muhammad Yusuf : I leave it to the common-sense of the honourable member. The estimate is apparent.

Starred Council question Nos. 4 and 5 of December 14, 1925.

* 4. Are any statistics available regarding the number and quality of animals slaughtered during the last two years in these provinces ? If so, will the Government be pleased to lay them on the table ?

* 5. What is the number and quality of cattle slaughtered for local consumption in these provinces during the last two years ?

How many cattle were slaughtered for meat trade only ? What is the quantity of dry meat on the average per year exported from these provinces ?

Answers to starred Council questions Nos. 4 and 5 of December 14, 1925.

* 4. Complete and accurate statistics of the number and quality of animals slaughtered are not available. According to the reports received by the Government, the total number of animals slaughtered during the years 1922-23 and 1923-24 was 22,056,193.

* 5. The number of cattle reported as slaughtered for local consumption during the years 1922-23 and 1923-24 was 733, 438, but this figure is neither complete nor accurate, since in some places records have not been kept or have been kept incorrectly.

During the same period the number of cattle reported as slaughtered for meat trade was 183, 205. Figures of the quantity of dry meat exported are available only from certain places and even from these in most cases only for the year 1924. The total of the amounts actually reported was 35,555 maunds.

EXECUTIVE OFFICER OF THE BENARES MUNICIPALITY.

* 124. **Haji Abdul Qayum :** Is it a fact that the Benares municipal board is without a permanent executive officer for several years, i.e., since the removal of Mr. Mukerji ?

The Hon'ble Nawab Muhammad Yusuf : Yes.

* 125. **Haji Abdul Qayum :** Was Mr. Mehta appointed executive officer at a special meeting or by a special resolution and is it mentioned in that resolution of the Benares municipality ?

The Hon'ble Nawab Muhammad Yusuf : Mr. Mehta was appointed executive officer by a special resolution passed unanimously at a meeting of the board attended by all the members of the board.

ROAD TO DARANAGAR IN BENARES.

* 126. **Haji Abdul Qayum :** Is it proposed by the municipal board of Benares to run a road from Benares city railway station to Daranagar ? When was the proposal made and what is being done in the

matter? Was such a proposal considered when the city railway station was made or when the Streatfield road was made?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) In July. The proposal is before the Board of Public Health.

(c) No.

OVERSEERS AND SUB-OVERSEERS IN BENARES MUNICIPALITY.

*127. **Haji Abdul Qayum :** Is it a fact (a) that the Benares municipal board have employed unqualified overseers or sub-overseers without the special sanction of the Commissioner as required by the rules printed on page 267 of the Municipal Manual and (b) that they were not removed even when the Commissioner refused to give sanction in 1925?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) The board made a representation to Government after the Commissioner had refused to give sanction. The representation is under the consideration of Government.

NOMINATION OF MEMBERS IN CAWNPORE MUNICIPALITY.

*128. **Haji Abdul Qayum :** (1) Is it a fact that the number of Hindu members is larger than the number of Muslim members in the Cawnpore municipal board? (2) If so, will the Government kindly state the reason which led the Government to nominate both Hindus as nominated members on the said board this year? (3) Was no Muslim available to represent such classes?

The Hon'ble Nawab Muhammad Yusuf : (1) Yes.

(2) The nominations were not made on a communal basis but to give representation to labour and to the depressed classes.

(3) The most suitable men were selected.

*129. **Haji Abdul Qayum :** Will the Government kindly state the special interest taken by these gentlemen previous to their nomination by the Government on the Cawnpore municipal board in depressed classes and what work they have so far done to safeguard their interests which justifies the Government to keep them in their seats?

The Hon'ble Nawab Muhammad Yusuf : Jagnoo mistri is an important member of the working community and has always taken a special interest in the welfare of the working classes.

Babu Tara Chand Srivastava has factories in which he employs members of the depressed classes and has always been keenly interested in their progress and well-being. Both these members support the cause of the communities they represent on the board.

*130. **Haji Abdul Qayum :** (a) Were their names recommended by the District Magistrate, Cawnpore, or the Commissioner, Allahabad division, for being appointed as members of the Cawnpore municipal board? If not, how did they come to the notice of the Government?

(b) On what date and at what time was the intimation of their nomination sent to the municipal board and published in the Government Gazette?

(c) Is it a fact that they were present at the meeting of the board held on December 23, 1925, long before their names were communicated to the municipal board?

The Hon'ble Nawab Muhammad Yusuf: (a) Government are not prepared to disclose any information on these points.

(b) (i) Intimation of the nomination was given to the executive officer of the municipal board by telephone on December 23, 1925, at 8 o'clock.

(ii) The nominations were published in the Gazette on December 31, 1925.

(c) The members were present at the meeting of the board held on December 23, 1925. Their names had been communicated to the executive officer before the time of the meeting.

* 131. **Haji Abdul Qayum:** (a) How many members on behalf of the Chambers of Commerce are on the municipal board of Cawnpore and why is it necessary to continue their being on the municipal board? (b) Have these representatives ever advocated the cause of their constituency on the municipal board? (c) If so, in what way and on how many occasions?

The Hon'ble Nawab Muhammad Yusuf: (a) (i) Five.

(ii) Because they represent commercial, industrial, and railway interests which are specially affected by the taxes imposed by the board and by the activities and operations of the board.

(b) They have always advocated the cause of their constituencies and watched their interests on the municipal board.

(c) Details cannot be given.

CASES IN THE COURTS OF HONORARY MAGISTRATES OF CERTAIN DISTRICTS.

* 132. **Haji Abdul Qayum:** Will the Government lay on the table a statement showing the number of cases which each bench of honorary magistrates decided in the calendar year 1926 at Cawnpore, Benares, Lucknow, Allahabad, and Agra?

* 133. What was the number of cases pending in the courts of honorary magistrates on January 1, 1925, and on January 1, 1927, at Cawnpore, Benares, Lucknow, Allahabad, and Agra?

The Hon'ble Lient Nawab Muhammad Ahmad Sa'id Khan: 132 and 133. Statements containing the information asked for are placed on the table.

(See *Appendix EE*, page 117.)

SPECIAL TRUST AT BENARES.

* 134. **Haji Abdul Qayum:** (a) Has a special trust been created at Benares at the instance of the municipal board for the prevention of the pollution of Ganges and other improvements? (b) If so, when and at whose instance was it created and what is being done? (c) How is it proposed to finance this trust and what will be its relation with the municipal board? (d) Have any regulations been framed for its working?

The Hon'ble Nawab Muhammad Yusuf: (a) A special trust known as the Kashi Tirth Sudhar Trust has been started at Benares for the prevention of the pollution of the Ganges and in order to make other improvements, by a number of the leading citizens of that place. This was not done at the instance of the municipal board, although the movement had the board's support and co-operation.

(b) The exact date on which the trust came into existence is not known, but its memorandum of association was registered on October 29, 1926. It has done nothing worthy of mention so far.

(c) The members of the trust propose to finance its operations by public subscription. The relation of the trust to the municipal board has not yet been defined.

(d) Yes.

WASIKAS PAID BY GOVERNMENT.

*135. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a statement on the table showing—

- (1) the total amount of wasikas paid by the Government in 1926 ;
- (2) the changes, if any, that have been made in the number of payees of wasikas since the organization of the wasika office ?
- (3) the amount and number of wasikas that have been commuted at every change ?

The Hon'ble Sir Sam O'Donnell :

(1) Rs. 7,98,680-3-3.

(2) and (3) The Wasika office was organized as long ago as 1889. It is quite impossible to give the details asked for.

WAQFS.

*136. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a statement on the table showing—

- (1) the number of waqfs for which schemes have been prepared under the orders of any court, in each district of the United Provinces ;
- (2) the total amount of such waqfs in each district of these provinces ;
- (3) the number and names of all the mutawallis in charge of such waqfs in each district ?

The Hon'ble Rai Rajeshwar Bali : The collection of the information asked for would involve an immense amount of labour, and the value of the results so attained appears to be small. The courts can settle a scheme for a waqf only under section 92, Civil Procedure Code ; but under this section eight kinds of decree can be passed, of which the settlement of a scheme is only one. It would therefore be necessary to examine each record of a suit under section 92, Civil Procedure Code, individually in all the civil record rooms in the province to ascertain whether it referred to the settlement of a scheme or not.

MUTAWALLIS AND WAQF-ALAL-AULAD.

*137. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a statement on the table showing—

- (1) the number and amount of waqf-alal-aulad in each district of the United Provinces ;
- (2) the number of mutawallis in charge of such waqfs in each district ?

The Hon'ble Rai Rajeshwar Bali : The information asked for is not available.

APPEALS FILED IN COMMISSIONERS' COURTS.

* 188. **Babu Uma Shankar :** (a) Will the Government be pleased to give the number of appeals filed in the courts of the Commissioners of each division of the United Provinces from October 1, 1925, to September 30, 1926 ?

(b) Will the Government be pleased to give the number of appeals filed in the courts of the Commissioners of each division since October 1, 1926, till May 31, 1927, and state how many of them were under Act III of 1926 ?

(c) Will the Government be pleased to say how many additional Commissioners were appointed during the period October, 1925 to September, 1926, and October, 1926 to May, 1927 ?

(d) Is it a fact that some appeals were transferred for disposal from the file of the Commissioner of the Allahabad division to the Collectors ?

(e) Will the Government be pleased to give the number of appeals on the file of the Commissioner, Allahabad division, when the appeals were transferred to Collectors for disposal ?

(f) Is it a fact that after the transfer of appeals an Additional Commissioner for the Allahabad division was appointed ?

(g) Will the Government be pleased to give reasons for appointing an Additional Commissioner when the appeals had already been transferred to the Collectors for disposal ?

(h) Is it also a fact that after the appointment of the Additional Commissioner for Allahabad division some of the appeals transferred to the Collectors were withdrawn from the files of the Collector and transferred to the file of the Additional Commissioner ?

(i) Will the Government be pleased to give the number of appeals transferred from the files of the Collectors to the Additional Commissioner, Allahabad division, up to May 31, 1927 ?

The Hon'ble Sir Sam O'Donnell : (a) and (b) Statements are laid on the table of the honourable member.

(c) (i) One.

(ii) Three.

(d) Yes.

(e) Four hundred and thirty-two.

(f) and (g) Mr. Keane, Commissioner of the Jhansi division, was appointed Additional Commissioner of the Allahabad division in addition to his own duties for a month and a half. This was done to give the Commissioner of the Allahabad division necessary assistance.

(h) Yes.

(i) Eleven.

(See Appendix FF, page 118.)

ASSISTANT AND DEPUTY REGISTRAR OF THE HIGH COURT,
ALLAHABAD.

* 189. **Babu Uma Shankar :** (a) Will the Government be pleased to state the qualifications and pay of the present assistant registrar and the deputy registrar of the High Court of Allahabad ?

(b) Will the Government be pleased to state since when the present assistant registrar and deputy registrar have been holding these posts?

(c) Is it a fact that the assistant registrar and deputy registrar have not been transferred since their appointment?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The pay of the deputy registrar of the High Court is on a scale of Rs. 600—60—960, and that of the assistant registrar on a scale of Rs. 480—60—600. There are no prescribed educational qualifications for the post of deputy and assistant registrars. The appointments are given to men of experience and ability who have been trained as members of the High Court staff or some other staff analogous thereto. The present deputy registrar and assistant registrar have those qualifications.

(b) January 15, 1923.

(c) Yes.

TIME-SCALE PAY FOR SUB-REGISTRARS.

***140. Babu Uma Shankar :** Will the Government be pleased to state whether it has come to any conclusion with regard to the introduction of time-scale pay in the cadre of sub-registrars? If not, why not? If yes, what?

The Hon'ble Nawab Muhammad Yusuf : The pay of sub-registrars was thoroughly revised in 1920. Since then 22 posts in the lower grades have been abolished whilst the number of posts in the higher grades has remained unaltered. The question of further improving the prospects of sub-registrars, either by introducing a time-scale or in other ways, has again been very recently considered and the Government have decided that there is no justification for taking such a step.

ABID ALI JAFRI, SUB-INSPECTOR, KHAGA, FATEHPUR.

***141. Babu Uma Shankar :** (a) Is it a fact that the 2nd Additional Sessions Judge at Fatehpur convicted Drigpal and others on May 11, 1927, under section 395, I. P. C.?

(b) Is it also a fact that the said judge has severely criticized the conduct of the Khaga police sub-inspector, Mr. Abid Ali Jafri, in the above case?

(c) Is it also a fact that the judge, while convicting the accused, wrote that the conduct of the police sub-inspector required an inquiry?

(d) Will the Government be pleased to say whether any action has been taken against the said sub-inspector? If yes, what? If not, why not?

(e) Will the Government be pleased to lay a copy of the above judgement on the table?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a), (b) and (c) Yes.

(d) An adverse entry has been made in the character roll of the sub-inspector.

(e) A copy of the judgement* is laid on the honourable member's table.

AKBAR ALI BEG, SUB-INSPECTOR, JAHANABAD, FATEHPUR.

* 142. **Babu Uma Shankar :** (a) Is it a fact that Mr. Akbar Ali Beg, sub-inspector of police, station Jahanabad, district Fatehpur, challaned one Shankar Kurmi in 1926 for possessing a revolver?

(b) Is it further a fact that the said Shankar was found innocent and acquitted?

(c) Is the Government aware that the said sub-inspector challaned one Jagmohan Singh in 1927 for possessing a revolver?

(d) Is it a fact that Jagmohan Singh has also been found innocent and acquitted?

(e) Is it also a fact that one Shiva Dayal Upadhia of Bijauli was challaned by Mirza Akbar Ali Beg, sub-inspector of Jahanabad, district Fatehpur, under sections 328/302, I. P. C., in 1924 and acquitted?

(f) Is it further a fact that the same Shiva Dayal Upadhia was challaned by the same sub-inspector in 1926, under section 107, Cr. P.C., to furnish security for keeping the peace?

(g) Is it also a fact that the magistrate criticized the conduct of the said sub-inspector in harassing Shiva Dayal Upadhia in the section 107 case?

(h) Will the Government be pleased to lay on the table a copy of the judgement of the magistrate in the section 107 case?

(i) Is it a fact that the judge cancelled the order of the magistrate demanding security from Shiva Dayal Upadhia and others and acquitted them?

(j) Will the Government be pleased to state what action has been taken against the said sub-inspector?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes, along with two of his brothers.

(b) No. The court found that it was not possible to determine which of the brothers was responsible for the presence of the pistol in the house, and acquitted all of them.

(c) Yes.

(d) No. He was given the benefit of the doubt and acquitted.

(e) Yes.

(f) This case was instituted by order of the superintendent of police after visiting the village in connexion with another case.

(g) The remarks made by the magistrate appear under (h). Shiva Dayal Upadhia was bound over to keep the peace.

(h) A copy of the judgement* is laid on the honourable member's table.

(i) Yes. The judge said that the proper procedure was to apply the provisions of section 106, Criminal Procedure Code, at the time of conviction to such of the accused as were convicted of rioting.

(j) None. None is called for.

AUDIT OF MUNICIPAL ACCOUNTS.

* 143. **Babu Ganesh Shankar Vidyarthi :** With reference to the fact that most of the city and other important municipalities come under

the category of bad and indifferent ones in the matter of accounts as remarked by the Examiner, Local Fund Accounts, in his annual report for 1925-26, will the Government be pleased to state—

- (1) what they propose to do to improve the existing condition;
- (2) whether there is a proposal to appoint whole-time auditors for first class municipalities, and to replace the test audit by a detailed audit;
- (3) whether such a proposal was made by the Cawnpore and Benares municipalities, and, if so, what steps the Government took to give effect to the proposal;
- (4) whether the Government have considered the desirability of separating the two functions of "Audit" and "Inspection," placing the former under the Director of Audit, and the latter under the Chief Inspector of Offices, who will report to the Minister in charge of Local Self-Government for suitable action;
- (5) what is the amount of audit fees now levied on municipal boards for test audit, and what will be the cost if a detailed audit is introduced.
- (6) whether the attention of the Government is drawn to the concluding paragraph 219 of the report of the Examiner, Local Fund Accounts, United Provinces, for 1925-26 and, if so, what action they propose to take in order to attract a better class of people to municipal service?

The Hon'ble Nawab Muhammad Yusuf: (1) The present condition of the accounts of local bodies is generally due to disregard of rules and want of effective control and proper supervision. Improvement depends mainly on the boards themselves. Their attention is called to this important matter annually in audit notes and Government resolutions on the working of municipal and district boards. The annual audit of accounts is in fact held partly for this purpose. Government have recently made rules which will ensure the employment of competent accountants by district and municipal boards.

(2) No.

(3) (a) Yes.

(b) The proposal was not accepted by Government.

(4) No.

(5) The cost to municipal boards of the test audit in 1926-27 was Rs. 51,700; a detailed audit is estimated to cost Rs. 1,54,446 per year.

(6) (a) Yes.

(b) A proposal to provincialize the services of executive officers and secretaries of municipal boards with a view to giving them greater security of tenure was considered by the Local Self-Advisory Committee on July 1, 1927.

Babu Ganesh Shankar Vidyarthi: As regards the sixth item of the question, to what conclusion did the Local Self-Advisory Committee reach?

The Hon'ble Nawab Muhammad Yusuf: That is confidential: I cannot let the honourable member know that.

NAZUL LANDS IN CAWNPORE MUNICIPALITY.

* 144. **Babu Ganesh Shankar Vidyarthi**: Will the Government be pleased to state—

- (a) when the final orders of the Government were passed in the matter of nazul lands at Sadar Bazar, Parmat, and Gwaltoli in the Cawnpore municipality;
- (b) what amount of work about the nazul land in these parts of the city has been done and what still remains to be done;
- (c) when the incomplete and defective registers about the nazul lands (vide paragraph 43 of the Examiner's report) are likely to be completed and put in order?

The Hon'ble Sir Sam O'Donnell: (a) November 11, 1923.

(b) Notices have been issued to almost all the occupiers of nazul, numbering about 3,030 to deposit the price of the land. About 700 of them have already deposited it.

(c) The defects in the registers pointed out by the Examiner, Local Fund Accounts, have been removed, and the municipal and nazul properties have been entered in separate volumes.

AFFAIRS IN BAHRAICH DISTRICT BOARD AND SORON MUNICIPALITY.

* 145. **Babu Ganesh Shankar Vidyarthi**: Will the Government be pleased to state what steps have been taken on the remarks made by the Examiner in paragraphs 121, 122 and 123 of his annual report for 1925-26 regarding the affairs in the Bahraich district board and on the remarks in paragraphs 37 and 38 regarding the affairs in the Soron municipality?

The Hon'ble Nawab Muhammad Yusuf: Information is not yet complete. A reply will be given at a later date.

APPOINTMENT OF AN OVERSEER IN CAWNPORE MUNICIPALITY.

* 146. **Babu Ganesh Shankar Vidyarthi**: (a) Is it a fact that the Cawnpore municipality appointed about six months ago an overseer not residing in the United Provinces? (b) Is it true that sanction of the Commissioner was applied for as required by rule (1) (b) of the rules for the appointment of overseers or sub-overseers, printed on page 267 of the Municipal Manual (1926); and the Commissioner, Allahabad division, replied that sanction was not required? (c) If so, will the Government quote the rule under which the Commissioner gave this reply or ascertain from him the reasons of doing so?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) Yes.

(c) The overseer is actually a resident of Saharanpur and had resided in the United Provinces for three years prior to, though not immediately preceding, his appointment. This has been held by Government on a previous occasion to satisfy the condition regarding residence laid down in rule 1 of the District Board Public Works rules, which corresponds with rule 1 (b) of the rules for the appointment of overseers by municipal boards, provided that the candidate has had substantial experience of conditions in this province. The Commissioner's reply was based on this ruling of the Government.

ASSESSMENT LISTS PREPARED BY CAWNPORE AND BENARES MUNICIPAL BOARDS.

* 147. **Babu Ganesh Shankar Vidyarthi**: Will the Government be pleased to state when was the last assessment list, due to be prepared once in every year under section 145 of the Municipal Act, prepared by the Cawnpore and Benares municipal boards?

The Hon'ble Nawab Muhammad Yusuf: (a) Section 145 of the United Provinces Municipalities Act requires the preparation of assessment lists once every five years and not every year. The last assessment list was completed in Cawnpore in March, 1927, and in Benares in March, 1922.

(b) The former should have been completed in March, 1926, while a new assessment list should have replaced the latter in March, 1927. Under clause (2) of section 145 an assessment list remains in force until a new list is complete.

SUB-REGISTRARS.

* 148. **Rai Bahadur Lala Mathura Prasad Mehrotra**: Will the Hon'ble Minister of Local Self-Government be pleased to give a list of sub-registrars selected by the committee as well as appointed by him separately with their names, qualifications, and reasons for their special consideration, if any?

The Hon'ble Nawab Muhammad Yusuf: A statement regarding selections made in 1927 is laid on the table.

(See Appendix GG, page 118.)

Rai Bahadur Lala Mathura Prasad Mehrotra: Will the Hon'ble Minister be pleased to state whether better candidates were not available to him for nomination?

The Hon'ble Nawab Muhammad Yusuf: It is a matter in which the Minister exercises his discretion.

DISTRICTS RESERVED FOR EUROPEAN CIVIL SURGEONS.

* 149. **Rai Bahadur Lala Mathura Prasad Mehrotra**: (a) Will the Hon'ble Minister of Education be pleased to give the names of the districts which have been reserved for European civil surgeons?

(b) What are the other districts which are not reserved for but are generally kept under Europeans?

The Hon'ble Rai Rajeshwar Bali: (a) No district is reserved for European civil surgeons; but the following 13 stations have been reserved for the members of the Indian Medical Service:—

- (1) Naini Tal, (2) Lucknow, (3) Agra, (4) Benares, (5) Gorakhpur, (6) Aligarh, (7) Moradabad, (8) Mussoorie, (9) Allahabad, (10) Cawnpore, (11) Saharanpur, (12) Dehra Dun, and (13) Bareilly.

(b) In addition to the above, the following districts have so far been held generally by Indian Medical Service officers, though the Provincial Medical Service officers have also been posted to some of them at one time or another:—

Meerut, Jhansi, Fyzabad, and Shahjahanpur.

Pandit Iqbal Narayan Gurtu : Am I to understand that an Indian member of the Indian Medical Service can be appointed to these thirteen districts?

The Hon'ble Rai Rajeshwar Bali : Yes.

Pandit Iqbal Narayan Gurtu : Are there any instructions from the Secretary of State or the Government of India that these thirteen districts should be reserved only for the European members of the Indian Medical Service?

The Hon'ble Rai Rajeshwar Bali : There are no such instructions in force at present.

Pandit Iqbal Narayan Gurtu : Are there any Indian members in the Indian Medical Service who are civil surgeons?

The Hon'ble Rai Rajeshwar Bali : There is only one Indian member in the Indian Medical Service and he is at present working as the Principal of the Agra Medical School.

TRANSFER OF DISPENSARIES TO THE DISTRICT BOARD, SITAPUR.

*150. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) Is the Government aware that the dispensaries transferred to the Sitapur district board are run with greater economy and more efficiently under the charge of assistant surgeons?

(b) How long will it take for the Hon'ble Minister to transfer the rest to the district board, Sitapur?

The Hon'ble Rai Rajeshwar Bali : (a) The dispensaries transferred to the district board are costing less because the doctors and compounders are paid at a lower rate of pay. It is too early to express an opinion on the efficiency of these dispensaries, though it has been found in the case of one of them that the attendance has fallen by 37 in-door and 2,692 out-door patients.

(b) The recruitment of sub-assistant surgeons has been stopped and as casualties occur amongst the existing members of that service, the district boards are allowed to appoint their own doctors.

*151. **Haji Abdul Qayum :** Was any action taken by the District Magistrate, Cawnpore, or Commissioner, Allahabad division, under section 32(b) of the Municipal Act when the irregularity mentioned in my questions Nos. 89(2) and 90, dated March 22, 1927, was brought to their notice by Munshi Hazir Ali or when the proceedings of May 14, 1926, reached them under section 94(4) of the Municipal Act?

The Hon'ble Nawab Muhammad Yusuf : The answer is in the negative.

GOVERNMENT CONTRIBUTION TO CERTAIN INSTITUTIONS IN CAWNPORE.

*152. **Khan Bahadur Hafiz Hidayat Husain :** (a) How much money has been paid or is to be paid to each of the following institutions during the following year and what is the contribution to each institution :—

[NOTE 1.—The amount to exclude the sums mentioned in the supplementary estimates presented to the Council in April, 1927.]

[NOTE 2.—Contribution to mean endowments plus subscriptions only.]

Years.

- (i) 1924-25.
- (ii) 1925-26.
- (iii) 1926-27.
- (iv) 1927-28.

Institutions.

- (i) Sanatan Dharam college and school, Cawnpore.
- (ii) Dayanand Anglo-Vedic college and school, Cawnpore.
- (iii) Halim Muslim High school, Cawnpore.

(b) Has paragraph 370(c) of the Education Code been applied in favour of any of the institutions with regard to market price and the actual price of land in the award of Government contribution?

The Hon'ble Rai Rajeshwar Bali: (a) A statement is placed on the table of the honourable member.

(b) No.

(See Appendix HH, page 119.)

COMPROMISE BETWEEN THE RAJA OF HARAHA AND KUNWAR RAJENDRA
BAHADUR SINGH.

* 153. **Raja Jagannath Bakhsh Singh:** (a) When was a compromise made between the Raja of Haraha and Kunwar Rajendra Bahadur Singh regarding their property dispute?

(b) Who were the arbitrators?

(c) Was the district magistrate who has issued this order also an arbitrator?

(d) Were the relations between the Raja and the Kunwar more strained before the compromise or after it?

(e) Was any such action taken by the district magistrate before the compromise was made?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) The last compromise was made on April 28, 1927.

(b) The settlement was made in the presence of the following persons:—

- (1) Babu Mahendra Dev, wakil, Fyzabad;
- (2) Babu Rup Narain, wakil.
- (3) Khan Bahadur Muhammad Shafi, Deputy Commissioner, Bara Banki;
- (4) Raja Prithwipal Singh of Surajpur;
- (5) Raja Shri Pratap Bahadur Singh of Haraha; and
- (6) Kunwar Rajendra Bahadur Singh.

(c) No.

(d) Under the compromise certain outstanding questions between the Raja of Haraha and Kunwar Rajendra Bahadur Singh were settled.

If the terms of the compromise are adhered to, we hope, to this extent there will be less cause for friction.

(c) The order under section 144 was issued before the compromise.

Raja Jagannath Bakhsh Singh : May I know whether the persons named in part (b) of the answer were arbitrators ?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : I cannot say whether these persons were arbitrators or not, but the settlement was made in their presence.

Raja Jagannath Bakhsh Singh : Is it a fact that I asked in part (b) of my question that the names of the arbitrators may be supplied ?

The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan : I do not know whether there were any arbitrators.

DEPARTMENTAL REPORTS.

*154. **Pandit Govind Ballabh Pant :** Will the Government be pleased to state if all the departmental reports for the year 1925-26 have been published ? If so, on which dates ? In case any are still outstanding, will the Government be pleased to mention them and also to state the reasons for the delay ?

The Hon'ble Sir Sam O'Donnell : A statement is laid on the honourable member's table.

(See Appendix II, page 120.)

PAY AND ALLOWANCE OF VICE-CHANCELLOR OF THE LUCKNOW UNIVERSITY.

* 155. **Pandit Govind Ballabh Pant :** What amount of pay per month is the Vice-Chancellor of the Lucknow University getting at present ? Is he getting any allowance in addition to it ? If so, how much ? When did he begin getting it and how long will he receive it ? Under which Fundamental Rule is this extra payment being made ?

The Hon'ble Rai Rajeshwar Bali : (a) Rupees 2,000 per mensem plus a free house.

(b) Yes. Leave allowance as Principal, Canning College, from November 21, 1926 to February 2, 1927, at Rs. 1,200 per mensem (full average salary) and from February 3, 1927 to September 30, 1928, at Rs. 600 per mensem (half average salary).

(c) The Executive Council sanctions leave under its own regulations, not under the Fundamental Rules. On the analogy of Fundamental Rule No. 69 the Executive Council permitted Dr. Cameron to take up a paid appointment during his period of leave with allowances. No extra cost was involved by the arrangement.

DOUBLE TRAIN SERVICE BETWEEN RAMNAGAR AND MORADABAD.

*156. **Pandit Govind Ballabh Pant :** (a) Were there two trains running between Moradabad and Ramnagar till June 10, 1927 ? Has one of the said trains been discontinued now ?

(b) Is it a fact that the pilgrims' rush from Ramnagar on their way back from Badrinath is at its highest from June to September ?

(c) Is it a fact that one of the two trains has been discontinued, as the Rohilkhand and Kumaun Railway authorities found that a number of travellers whom they would like to travel *via* Lalkua to Bareilly had taken the Moradabad-Bareilly route?

(d) Is it the intention of Government to advise the Rohilkhand and Kumaun Railway authorities to revive the train between Ramnagar and Kashipur so as to maintain continuous double train service between Ramnagar and Moradabad as heretofore?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) Yes.

(c) No. The train discontinued was No. 21-Up and its corresponding train No. 22-Down. This train was merely an extension of the original Moradabad-Kashipur train and the extension was made to suit the commercial needs of the traders at Ramnagar and Kashipur. As all trade with those places ceases with the break of the monsoon, the extension was discontinued with effect from June 12, 1927. The needs of pilgrims and such residents as continue to stay at Ramnagar are adequately served by the running of 17-Up and 18-Down trains.

(d) The additional service between Kashipur and Ramnagar will be restored after the monsoon.

SUPPLY OF WATER TO TRAVELLERS ON RAMNAGAR-LALKUA AND KATHGODAM-BAREILLY BRANCHES.

* 157. **Pandit Govind Ballabh Pant :** (a) What expenditure do the Rohilkhand and Kumaun Railway incur per month over the staff employed by them for supplying water to travellers at each of the stations on the Ramnagar-Lalkua and Kathgodam-Bareilly branches?

(a) What arrangements have they made for the supply of drinking water?

(c) Do they keep any stock of cold drinking water at any of these stations? If so, where?

(d) What expenditure per month do they incur for platform lights at these stations excluding Bareilly?

(e) Have they got any platforms for passengers on these stations excepting Bareilly? What is their height from the railway lines?

(j) How many cattle were run over or knocked down by running trains during the year ending in May last in the Ramnagar-Lalkua branch?

The Hon'ble Sir Sam O'Donnell : (a) The monthly cost of the staff entertained to provide water to passengers is as follows :—

						Rs. a.
Bareilly city	..	..	..	..	..	19 0
Izatnagar	..	..	..	..	..	8 8
Bhojpur	..	..	..	..	..	8 8
Baheri ..	..	..	..	..	..	8 8
Lalkua ..	..	..	..	..	..	8 8
Haldwani	..	..	..	..	..	8 8
Kathgodam	..	..	..	..	..	20 8
Bazpur ..	..	..	..	..	..	8 8
Kashipur	..	..	..	..	..	8 8
Ramnagar	..	..	..	..	..	8 8
Total						107 8

These men are also assisted by the station staff and at stations not provided with special men, water is supplied by the station staff.

The proportionate cost of the pumping arrangements for the supply of water to hydrants at Kashipur, Kathgodam, Lalkua, Bhojeepura, and Bareilly city has not been included in the figures above.

(b) Water hydrants are provided at Kashipur, Kathgodam, Lalkua, Bhojeepura, and Bareilly city. Wells are provided at all stations and special watermen are provided at the stations named in the answer to part (a) of the question.

(c) Cold water is kept in buckets on station verandahs.

(d) The monthly cost of lighting the stations named in part (a) of the question is Rs. 537-7.

(e) Yes, at Bhojeepura and Kathgodam. Twelve inches above rail level.

(f) Thirteen.

KING EDWARD VII HOSPITAL, BENARES.

*158. **Babu Sampurnanand** : What are the hours during which the King Edward VII Hospital, Benares, is open to out-door patients ?

The Hon'ble Rai Rajeshwar Bali : The King Edward VII Hospital, Benares, is open to out-door patients from 7.30 a.m. to 12.30 p.m. and from 4 p.m. to 5 p.m. during November to February and 6.30 a.m. to 11.30 p.m. and from 4.30 p.m. to 5.30 p.m. during March to October as prescribed by paragraph 49 of the United Provinces Medical Manual.

*159. **Babu Sampurnanand** : When does the civil surgeon usually come to the hospital and for what length of time does he remain there ?

The Hon'ble Rai Rajeshwar Bali : The civil surgeon usually reaches the hospital at about 8.30 a.m. and remains there up to about 1 p.m. and very often till a later hour.

*160. **Babu Sampurnanand** : Is it a fact that the civil surgeon does not come to the hospital on Sundays ? Has he been exempted from attendance on Sundays by an order of the Government ? Is this the usual practice in all districts ?

The Hon'ble Rai Rajeshwar Bali : Yes. The usual practice is that if a civil surgeon has some urgent work at the hospital or is sent for by the medical officer-in-charge, he does attend on Sundays, otherwise not.

Babu Sampurnanand : Is the Hon'ble Minister aware that as the civil surgeon does not come on Sundays petty Government servants and teachers do not get the benefit of his treatment ?

The Hon'ble Rai Rajeshwar Bali : That may be a fact.

Babu Sampurnanand : Are the members of the staff other than the civil surgeon given a holiday once a week ?

The Hon'ble Rai Rajeshwar Bali : So far as I am aware they are not.

Babu Sampurnanand : Why is such an exception made in the case of the civil surgeon ?

The Hon'ble Rai Rajeshwar Bali : I think that this is the usual practice. I shall, however, examine the matter.

BHELUPURA HOSPITAL, BENARES

* 161. **Babu Sampurnanand :** (a) Is there a proposal before the Government to transfer Bhelupura hospital at Benares to non-government contract? (b) If so, what is the exact nature of the proposal and at what stage does the matter rest at present?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Does not arise.

JAIL VISITORS.

* 162. **Babu Sampurnanand :** How many members of the Council have not yet been nominated as visitors of jails within their constituencies?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Fourteen.

Babu Sampurnanand : Why have these gentlemen not been appointed as visitors of jails?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Five of them are unwilling to serve, five have resigned, three are Ministers, and one is shortly to be appointed.

EXPENDITURE ON IMPROVEMENT OF CERTAIN TOWNS.

* 163. **Babu Sampurnanand :** How much money has been spent by the Government for the improvement of the towns of Lucknow, Allahabad, Cawnpore, and Benares, since 1916?

The Hon'ble Nawab Muhammad Yusuf : A statement showing the amount of grants and loans given by Government for the improvement of the three towns since 1916 is laid on the table.

(See Appendix JJ, page 122.)

Babu Sampurnanand : Why only a grant of Rs. 39,000 has been made to the municipal board of Benares and not a bigger sum like that which has been given to Allahabad and Lucknow municipal boards?

The Hon'ble Nawab Muhammad Yusuf : The municipal board of Benares did not submit any big scheme which required the help of Government.

Babu Sampurnanand : Did the Government call for any schemes from that municipal board?

The Hon'ble Nawab Muhammad Yusuf : It is for the municipal board to submit any scheme which they like for the assistance of Government.

Babu Sampurnanand : Did the Government receive schemes from other important towns to which grants have been made?

The Hon'ble Nawab Muhammad Yusuf : I think so.

* 164. **Babu Sampurnanand :** How much money has Government given to the municipalities of Lucknow, Benares, Cawnpore and Allahabad for (a) making new roads, (b) repairing of existing roads,

(c) improvement of drainage, (d) improvement and renovation of water-works, (e) laying out public gardens, and (f) other sanitary schemes since 1916 ?

The Hon'ble Nawab Muhammad Yusuf : A statement is laid on the table.

(See Appendix KK, page 123.)

Babu Sampurnanand : Why has no money been given to the municipal boards of Benares, Cawnpore, and many other important towns for road construction ?

The Hon'ble Nawab Muhammad Yusuf : I cannot say. Probably they have no definite programme for road construction and did not submit any to Government ?

Babu Sampurnanand : Did the municipal boards of Cawnpore, Benares, and Allahabad fail to submit any scheme for road construction ?

The Hon'ble Nawab Muhammad Yusuf : There is only one scheme which is under consideration.

Babu Sampurnanand : Why was no money given to Benares for sanitary schemes when over 11 lakhs was given to Lucknow ?

The Hon'ble Nawab Muhammad Yusuf : Perhaps funds were not available.

Babu Sampurnanand : Was it not necessary to give money to Benares for sanitary schemes ?

The Hon'ble the President : That is arguing the matter.

SEVA SAMITI SCOUT ORGANIZATION.

* 165. **Babu Sampurnanand :** What is the basis of the remark in the last educational report that the Sewa Samiti Scout organization is principally joined by Hindus and the Baden-Powell organization by non-Hindus ?

The Hon'ble Rai Rajeshwar Bali : The remark (not quite correctly quoted by the honourable member) is based on reports received by the Director.

Babu Sampurnanand : Are there any Government schools affiliated to the Sewa Samiti Scout organization ?

The Hon'ble Rai Rajeshwar Bali : Yes, there are.

Babu Sampurnanand : Have non-Hindus any restrictions to join these organizations ?

The Hon'ble Rai Rajeshwar Bali : No.

Babu Sampurnanand : My question was based on the remarks in the last educational report concerning the Sewa Samiti Scout organization.

The Hon'ble Rai Rajeshwar Bali : That remark has been incorrectly quoted. The correct remark is : "The Sewa Samiti Boy Scouts may be regarded as predominantly Hindu, and Muhammadan and Christian scouts prefer to join the Baden-Powell organization."

Babu Sampurnanand : Have any Muhammadan, Christian or non-Hindu boys joined the Sewa Samiti organizations in Government schools ?

The Hon'ble Rai Rajeshwar Bali : This remark was based on actual figures as a matter of fact. I made inquiries and found that the remark was based on actual figures.

**GOVERNMENT OFFICER'S INTERFERENCE IN THE MEETING OF THE
RASTRIYA SARASWATI VIDYALAYA, HATHRAS.**

* 166. **Babu Sampurnanand :** Was a meeting of the executive committee of the Rastriya Saraswati Vidyalaya of Hathras held on March 9, 1927, at which it was resolved that the services of Thakur Malkhan Singh, the Principal, should be dispensed with?

The Hon'ble Rai Rajeshwar Bali : Yes.

* 167. **Babu Sampurnanand :** Were a number of Government officers, including the sub-divisional officer and the tahsildar, present there at the time? Were these officers members of the managing committee? If not, what was the reason of their presence there?

The Hon'ble Rai Rajeshwar Bali : The replies to the first two parts of the question are in the negative. The third part does not arise.

Babu Sampurnanand : Were the sub-divisional officer and tahsildar not present in the building while a meeting of the executive committee was going on?

The Hon'ble Rai Rajeshwar Bali : I am not sure about the building but they did not take any part in the discussions of the committee.

* 168. **Babu Sampurnanand :** Is it a fact that at first the meeting dispersed without coming to a decision but later on the sub-divisional officer called the members to himself, asked them to come to a decision and dictated the resolution to the secretary? Was the resolution written on paper bearing the Government mark? Did the tahsildar first write it out in Urdu?

The Hon'ble Rai Rajeshwar Bali : No.

* 169. **Babu Sampurnanand :** Was there any correspondence between Thakur Malkhan Singh and the district magistrate on the subject of this school? What was the nature and result of this correspondence?

The Hon'ble Rai Rajeshwar Bali : Yes, there was some correspondence. Thakur Malkhan Singh objected to Government officials taking any part in the affairs of the school committee. The district magistrate in reply informed him that, so far as he could ascertain, there had been no interference by Government officials and that he was issuing orders to prevent such a possibility.

**TENNIS COURTS, LIBRARIES AND STATUES BY MUNICIPAL
BOARD, JHANSI.**

* 170. **Pandit Bhagwat Narayan Bhargava :** With reference to the following remarks about Jhansi municipal board published in paragraph 15 of its resolution, dated May 26, 1927, on municipal administration, will the Government be pleased to state how many tennis courts, libraries, and statues has the board constructed, established or erected during what period and with how much expenditure of public money and what is the percentage of the expenditure on these to its total income:—

“The Jhansi board fritters away its time, energy and money on tennis courts, libraries and statues. Possibly this may be due to the protracted absence of the chairman, but it is a bad sign of want of business capacity.”

The Hon'ble Nawab Muhammad Yusuf: The board permanently maintains a public library for which it has provided Rs. 3,890 or about 2 per cent. of its total income in the current year's budget. The library committee at a meeting held on February 17, 1926, passed a resolution recommending the construction of a tennis court and a grant-in-aid of Rs. 8 per mensem to the Lokman Tilak library at Jhansi. In the budget for 1925-26 the board actually provided Rs. 5,000 for erecting a statue of Maharani Lakshmi Bai of Jhansi.

CHAIRMAN, MUNICIPAL BOARD, JHANSI.

* 171. **Pandit Bhagwat Narayan Bhargava:** How many months during the year 1925-26 to which the report relates was the chairman away from Jhansi?

The Hon'ble Nawab Muhammad Yusuf: The chairman was away from Jhansi for about three months during 1925-26.

INCREASE OF NOMINATED MEMBERS IN CERTAIN MUNICIPALITIES.

* 172. **Pandit Bhagwat Narayan Bhargava:** Has the Government increased the numbers of nominated members on the municipal boards of Allahabad, Fatehpur and Kanauj? If so, why?

The Hon'ble Nawab Muhammad Yusuf: Under section 9 (1) (c) and (2) of the Municipalities Act, Government are entitled to make nominations, not exceeding two in number, up to one-fourth of the total number of the elected members. The number of nominated seats on the municipal board of Kanauj was increased from one to two as the total number of elected members on that board rose from 7 to 8 as a result of the census of 1921. In the case of the Allahabad and Fatehpur boards, Government previously had the right of nominating two members, but had left one seat temporarily vacant, which has now been filled up.

ADMINISTRATION REPORTS OF DEPARTMENTS.

* 173. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that regarding all departments under the control of the Governor in Council the heads of the various departments submit their annual reports to the Government on the administration of their departments?

The Hon'ble Sir Sam O'Donnell: Yes.

INSPECTOR-GENERAL OF CIVIL HOSPITALS.

* 174. **Pandit Bhagwat Narayan Bhargava:** How many days in a year is the Inspector-General of Civil Hospitals required to be on tour and how many dispensaries is he required to visit within a year?

The Hon'ble Rai Rajeshwar Bali: There are no rules or orders prescribing the period for which the Inspector-General of Civil Hospitals should be on tour or the number of dispensaries which he should inspect during a year.

* 175. **Pandit Bhagwat Narayan Bhargava:** Is the Inspector-General of Civil Hospitals required to submit every case of appointment, promotion, punishment and transfer of civil surgeons and civil assistant surgeons to the Hon'ble Minister for sanction or has he himself got final and full powers to deal with these matters?

The Hon'ble Rai Rajeshwar Bali : The Inspector-General of Civil Hospitals has to submit every case of appointment, promotion, punishment and transfer of civil surgeons and civil assistant surgeons to the Hon'ble Minister for sanction.

ROOT FLOUR.

*176. **Pandit Bhagwat Narayan Bharwava :** Is the Government aware that a sort of flour—not of grain but only a powder of some roots and bark—is being sold in markets here ? Has the Government got it examined with a view to test its nourishing power, advantages and disadvantages ?

The Hon'ble Rai Rajeshwar Bali : No. Inquiries made so far show that there is no such flour in the market. The flour will be examined if and when available.

TAX ON CIRCUMSTANCES AND PROPERTY.

*177. **Pandit Bhagwat Narayan Bhargava :** How many and which district boards have begun to realize a tax on circumstances and property imposed under the new Act ? What is their annual income through this source and how much do they yearly spend on staff, etc., in this connexion ?

The Hon'ble Nawab Muhammad Yusuf : Three district boards, viz., those of Moradabad, Lucknow and Cawnpore, have begun to realize the tax on circumstances and property levied by them under the District Boards Act. Their income from the tax and their expenditure on the collection thereof are as follows:—

		Income in 1926-27..		Expenditure in 1926-27.	
		Rs.		Rs.	
Moradabad	.. ..	42,728		8,068	
Cawnpore	.. ..	35,000		3,000	
Lucknow	.. ..	30,902		6,219	

CENTRAL PRISON, LUCKNOW.

*178. **Pandit Rahas Bihari Tiwari :** (a) Is it a fact that the jail gong is rung at the time of *roza-attiari* in the evening at the Lucknow central prison ? If it is so, whether such bell is also rung when Hindu prisoners keep fast on *Janam Ashtami* day ?

(b) Will the Government be pleased to state if it is done under the orders of the Inspector-General of Prisons ?

(c) Is it a fact that females who go for an interview at the central prison are searched at the main gate in the presence of the males ? If so, under what rules ?

(d) Is it a fact that people who go for interview at the Lucknow central prison after finishing their interview are not allowed to stay even on the public road outside the jail compound and are not allowed even to take water and are sent under jail guard for a mile or so and are handled roughly by jail people ? If so, will the Government be pleased to quote the authority under which they are so harshly treated ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.

(b) Does not arise.

(c) No.

(d) No.

Pandit Bahas Bihari Tiwari : The facts mentioned in my question are true and I have seen such things with my own eyes and I request the Government to make further inquiries in the matter.

The Hon'ble the President : I am afraid this request is out of order here in the form in which it is made.

CONDUCT OF PHULPUR THANA POLICE.

***179. Rao Krishna Pal Singh :** (a) Has the attention of the Government been drawn to the remarks passed by the Sessions and Subordinate Judge of Mirzapur about the conduct of the Phulpur thana police in a case in which Musammat Gujji and others stood charged with abduction of a girl?

(b) Has any action been taken against the sub-inspector of police who neglected the investigation of the case and against Suba mukhia, who appeared to be involved in the case? If not, do Government propose taking any action?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) An inquiry was held by the superintendent of police, who found that the sub-inspector was not at fault. Suba, mukhia, was sent up for trial but was discharged.

PREVENTION OF CRUELTY TO ANIMALS ACT.

***180. Rao Krishna Pal Singh :** (a) Is it the Government's policy or practice to enforce the Prevention of Cruelty to Animals Act only in municipalities, cantonments, notified areas and Act XX towns where there is a resident magistrate and an infirmary or a pound?

(b) Will the Government be pleased to state why the Act is not enforced in rural areas?

(c) Is it a fact that hardship is inflicted on animals in areas where the Act is not in force?

(d) Is it Government's intention to consider the advisability of enforcing the Act in rural areas generally?

(e) If not, will the Government state the reasons why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Because (1) for the effective enforcement of the Act it is essential to be able to send any sick or diseased animal to an infirmary or pound, and it is therefore undesirable to apply the Act except in places where this can be done easily and without causing further pain to the animal, (2) the extension of the Act to rural areas would afford opportunity for oppression and extortion at the expense of the public, and (3) the most usual cases of ill-treatment are those of overdriving, overloading and driving of animals when unfit to be driven. These mostly occur on main roads and can most easily be detected at the towns through which these roads pass.

(c) No doubt.

(d) and (e) Government have already considered the question of extending the Act to rural areas, but have decided not to do so for the reasons given above.

OFFICERS OF PUBLIC HEALTH.

*181. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state the number of officers of public health whose posts have been provincialized so far?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table.

(See Appendix LL, page 124.)

TUBE WELLS.

*182. **Kunwar Bisheshwar Dayal Seth** : Will the Hon'ble Minister in charge of Agriculture be pleased to state how many applications for the constructions of tube wells were received by the Department of Agriculture in the years 1924, 1925 and 1926, and how many tube wells were completed by the department in these years?

The Hon'ble Thakur Rajendra Singh : The number of applications for the construction of tube wells received by the Agricultural department in 1924, 1925 and 1926 and the number of tube wells completed by the department in these years is as follows :—

Year.	No. of applications.	No. of tube wells completed.
1924-25	43	23
1925-26	86	62
1926-27	108	65

HYDRO-ELECTRIC GENERATING PLANTS.

*183. **Kunwar Bisheshwar Dayal Seth** : Will the Government be pleased to lay a statement on the table showing where and how many hydro-electric generating plants have been installed by the Government in these provinces and what is the power generated by each of them and for what purposes this power is being utilized?

The Hon'ble Thakur Rajendra Singh : A statement is laid on the honourable member's table.

(See Appendix MM, page 125.)

*184. **Kunwar Bisheshwar Dayal Seth** : Has any survey been made by the Government to find out the possibilities of further development of hydro-electric power in these provinces for industrial purposes?

The Hon'ble Thakur Rajendra Singh : Government have surveyed a number of sites and prepared detailed estimates of the working of some of the promising places. The honourable member is referred to volume III of the Hydro-Electric Survey of India (1922) by J. W. Mears.

MEDIUM OF INSTRUCTION IN HIGH SCHOOL CLASSES.

*185. **Pandit Govind Ballabh Pant** : What is the medium of instruction in the high school classes in the model school attached to the Training College at Allahabad? Are Hindi and Urdu not used there?

The Hon'ble Rai Rajeshwar Bali : An answer will be given at a later date.

KHAIRNA-ALMORA CART ROAD,

*186. **Pandit Badri Dutt Pande:** (a) Regarding Khairna-Almora cart road, will the Government be pleased to state how the figure of Rs. 22 lakhs has been arrived at?

(b) What has become of the original estimate prepared by Thakur Sher Singh Sahib, District Engineer, Almora, which only amounted to some 7 lakhs and odd?

(c) Will the Government lay abstracts of these estimates on the table?

The Hon'ble Nawab Muhammad Yusuf: (a) By means of a detailed survey and estimate based on the need for making the road capable of carrying motor lorries.

(b) The estimate referred to has been deposited in the Executive Engineer's office, but was only for the section Khairna to Ghurari. It amounted to Rs. 401,000 and was never sanctioned.

(c) No, as a comparison would serve no useful purpose owing to the fact that the original estimate was for bullock cart traffic and the revised estimate for motor lorry traffic.

PATWA DANGAR LYMPH DÉPÔT.

*187. **Pandit Badri Dutt Pande:** (a) Is any grass, fuel or charcoal supplied from the Patwa Dangar Lymph Dépôt to any officials or officers or private persons at Naini Tal? If so, has any payment been made for the same?

(b) Was some charcoal sent to Lucknow last cold weather from the Patwa Dangar Lymph Dépôt to some highly-placed official? Was any payment made for it?

(c) Is it a fact that the inspection bungalow at Patwa Dangar has been converted into residential quarters for the benefit of the sanitary commissioner?

(d) If so, what was the expenditure that was incurred on the bungalow last year in repair and equipment?

(e) Does the sanitary commissioner pay any rent? If so, how much?

(f) Is the sanitary commissioner required or permitted to stay at Patwa Dangar from April to October annually? Does he get any daily allowance for it? If so, how much?

(g) Have the accounts of the Lymph Dépôt been audited? If so, will the Government lay a copy of the auditor's report on the table?

The Hon'ble Rai Rajeshwar Bali: (a) (i) Yes. Grass is supplied on payment to the Director of Public Health.

(ii) Fuel is supplied free to the Director of Public Health as the whole staff of the dépôt is entitled to free fuel.

(b) Yes, charcoal was supplied to the Director of Public Health as fuel on payment of transport charges. The Director of Public Health is a member of the dépôt staff in his capacity as medical officer in charge.

(c) No.

(d) Does not arise.

(e) No. The bungalow is an inspection bungalow for which charges are not made.

(f) The Director of Public Health inspects the dépôt as a general rule during the months of October and April both in his capacity as medical officer in charge and as Director of Public Health. He draws the usual halting allowance under Government rules up to a maximum of ten days while in camp at the dépôt.

(g) Yes. The audit report is still under examination.

RIGHTS IN RESERVED FOREST OF KALIMATH.

* 188. **Pandit Badri Dutt Pande :** (a) Have the villages of Sail and Ghoorum, etc., near Almora town any rights in the recently reserved forests of Kalimat (Pakhoora block) ?

(b) If so, what ?

(c) Do these forests lie within the *san assi* boundaries ?

(d) How many persons have been prosecuted and fined during the last three years for taking grass and dry fuel from these forests and what is the amount of fines levied from them ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The villagers of Sail and Gurson (not Ghoorum) have no rights in the Kalimath plantation. It is an old reserve and is entirely free of rights. Pakhura is a separate block which has been disforested in notification no. 905/XIV—67, dated October 9, 1923, except the plantation part of it.

(b) Does not arise.

(c) Part of Kalimath plantation lies within the *san assi* boundaries of these villages.

(d) No person was prosecuted and fined during the last three years for taking grass and dry fuel from these forests without permits.

Pandit Badri Dutt Pande : Can Government say why these villages have no rights in these forests ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : These are old reserve forests. I believe that is the reason.

Pandit Badri Dutt Pande : As there are rights in old villages, may I know why these villages were excluded from their natural rights as the land falls within the *san assi* ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think that from the very beginning they never had a right there.

Pandit Badri Dutt Pande : Does the Government know that these forests were recently closed ; they were not old reserves in the sense that Binsar is ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of this : I think they are old reserves.

Pandit Badri Dutt Pande : Will Government be pleased to make a re-survey ?

The Hon'ble the President : That is a suggestion for definite action and is out of order.

UNSTARRED QUESTIONS.**NAZUL PROPERTIES OF AGRA DISTRICT BOARD.**

1. **Raja Kushal Pal Singh** : Will the Government be pleased to state the grounds on which the nazul properties have been taken over from the Agra district board by Government.

Sir Ivo Elliott : Because they had buildings of historical or archaeological importance standing on them or were purely agricultural plots which, under paragraph 674 of the Revenue Manual, should be classed as State properties and maintained under the control of the Board of Revenue.

SUB-OVERSEER OF HATHRAS MUNICIPALITY.

2. **Saiyid Tufail Ahmad** : Is the Government aware that the present sub-overseer of Hathras municipality has been appointed without the sanction of the Commissioner, as required by notification no. 34/XI—549-E, dated September 9, 1920.

Sir Ivo Elliott : Yes.

PROSECUTION OF RAMCHAND VAISH BY HATHRAS MUNICIPALITY.

3. **Saiyid Tufail Ahmad** : Is it a fact that one Ramchand Vaish of Hathras was originally prosecuted by the municipal board of Hathras in the court of the tahsildar, but the prosecution was afterwards withdrawn ?

Sir Ivo Elliott : Yes.

4. **Saiyid Tufail Ahmad** : Is it a fact that he was again prosecuted by the said board in the court of the sub-divisional magistrate ?

Sir Ivo Elliott : Yes.

5. **Saiyid Tufail Ahmad** : Is it a fact that the prosecution was also withdrawn just before the pronouncement of the judgement ?

Sir Ivo Elliott : Yes.

6. **Saiyid Tufail Ahmad** : Will the Government be pleased to state—

- (a) What was the cost of litigation incurred by the board in connexion with the two prosecutions ;
- (b) the damages, if any, which the board had to pay for vexatious prosecution ;
- (c) the circumstances under which these prosecutions one after the other were started and withdrawn ;
- (d) if any legal advice was taken by the board before the institution of both the prosecutions was undertaken ?

Sir Ivo Elliott : (a) Rs. 24-4-0.

(b) Nil.

(c) The prosecutions were started for breaches of tehbazari bye-laws one after the other, but the cases were withdrawn owing to certain legal flaws subsequently discovered.

(d) Yes.

NON-OFFICIAL VISITORS OF BAREILLY AND LUCKNOW CENTRAL JAILS.

7. **Lieut. Raja Kali Charan Misra :** (a) What is the actual number of non-official visitors of the Bareilly and Lucknow central prisons?

(b) Will the Government be pleased to state their names?

Mr. R. L. Yorke : (a) Bareilly central prison	...	5
Lucknow central prison	...	8

(b) *Bareilly central prison—*

- (1) Khan Bahadur Shahinshah Wali Khan.
- (2) Khan Bahadur Kutub-ud-din.
- (3) Rai Bahadur Lala Sheo Prasad.
- (4) Lieut. Raja Kali Charan Misra, M.L.C.
- (5) Khan Bahadur Mahbub Ali Khan, M.L.C.

Lucknow central prison—

- (1) St. G. Jackson, Esq., M.L.C.
- (2) Raja Saiyid Ahmad Ali Khan of Salempur, M.B.E., M.L.C.
- (3) Sardar Nihal Singh, M.L.C.
- (4) Nawab Murtaza Husain.
- (5) Rai Bahadur Babu Tirloki Nath Bhargava.
- (6) Rai Bahadur Pandit Jagpal Krishna.
- (7) Pandit Rahas Bihari Tewari, M.L.C.
- (8) Babu Rama Charana, M.L.C.

CHAIR OF MEDICAL JURISPRUDENCE AND MATERIA MEDICA IN
MEDICAL COLLEGE, LUCKNOW.

8. **Lieut. Raja Kali Charan Misra :** (a) Is it under contemplation to split up the chair of medical jurisprudence and materia medica into two in the Medical College at Lucknow?

(b) If so, when?

Mr. Panna Lal : (a) There is already a separate reader for each subject.

(b) Does not arise.

CONSTITUTION OF IMPROVEMENT TRUST, CAWNPORE.

9. **Lieut. Raja Kali Charan Misra :** (a) What is the constitution of the Cawnpore Improvement Trust ?

(b) Has any Indian been nominated by the Government to the Trust ?

(c) If not, will the Government be pleased to nominate an Indian to the Trust on the occurrence of the earliest vacancy ?

Sir Ivo Elliott : (a) The constitution of the Trust is as follows :—

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------------------------------------------------------|
| 1. Rai Bahadur Babu Anand Swarup | ... | <i>Chairman.</i> |
| 2. Rai Bahadur Babu Vikramajit Singh, | ... | <i>Chairman, Municipal Board—Ex officio member.</i> |
| M.L.C. | ... | |
| 3. Lala Ram Kumar | ... | } <i>Members of the municipal board elected by the municipal board.</i> |
| 4. Dr. Jawahir Lal | ... | |
| 5. The Collector of Cawnpore... | ... | } <i>Appointed by the Government.</i> |
| 6. Mr. A. P. Patel, ex-chairman, municipal board ... | ... | |
| 7. Mr. S. H. Taylor, Director of Messrs. Begg, Sutherland & Co., also member of Upper India Chamber of Commerce, who has now resigned and the place is vacant. | ... | |
| 8. Pandit Bishva Nath Tholal | ... |  | Associated member under section 14 of the Act. |

(b) Yes.

(c) Does not arise.

10. **Lieut. Raja Kali Charan Misra :** (a) When does the Government hope that the Improvement Trust of Cawnpore will be able to give relief to the people of Cawnpore in regard to congested areas ?

(b) Does the Government propose to adopt any remedial measures in the meantime to check the abnormal rise in rents ?

Sir Ivo Elliott : (a) The Improvement Trust, Cawnpore, has since its constitution been working with the object of expanding the city and removing congestion and has, to some extent, already achieved its object. It cannot definitely be said how long it will take to open up all the congested areas.

(b) No.

MIXED ELECTORATES.

11. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to place on the table a statement compiled in the following form :—

Name of town area or other local bodies (excluding municipal or district boards) having mixed electorate.	Population.			Members of the committee, town area, etc.		
	Hindu.	Muslim.	Others.	Hindu.	Muslim.	Others.

Sir Ivo Elliott : The honourable member is referred to the statement furnished to him in reply to starred question No. 2 on June 25, 1926, and to the last Census report. Information regarding the members of Town Area Committees created since that date is laid on the honourable member's table.

(See Appendix NN, page 126.)

HINDU PATHSHALAS.

12. **Khan Bahadur Hafiz Hidayat Husain :** How many Hindu pathshalas were opened under rule 79 of the Educational Rules in Cawnpore, Fatehpur, Etawah and Farrukhabad districts during the years ending March 31, 1926, and March 31, 1927 and at what cost?

Mr. Panna Lal : A statement is laid on the table of the honourable member.

(See Appendix OO, page 126.)

ISLAMIA SCHOOLS.

13. **Khan Bahadur Hafiz Hidayat Husain :** How many Islamia schools were opened in Cawnpore, Fatehpur, Etawah and Farrukhabad districts during the two years ending March 31, 1926, and March 31, 1927?

Were any and, if so, how many Islamia schools closed in the districts during the period and in which district or districts?

Mr. Panna Lal: A statement is laid on the table of the honourable member.

(See Appendix PP, page 127.)

EMPLOYEES IN MUNICIPAL AND DISTRICT BOARDS.

14. Dr. Shafa'at Ahmad Khan: Will the Government be pleased to supply to the Council the following information in the tabulated form given below?—

- (a) The total number of employees in each department of (1) the municipal and (2) the district boards of these provinces.
- (b) The number of Hindu, Muslim and Indian Christian employees in each department of (1) municipal and (2) district boards of these provinces.
- (c) The amount of pay drawn by Hindu, Muslim and Indian Christian employees in each department of (1) every municipal and (2) every district board of these provinces.

Sir Ivo Elliott: Inquiry is being made. A reply will be given at a later date.

NUMBERS OF CERTAIN GOVERNMENT OFFICIALS AND THEIR PAY.

15. Dr. Shafa'at Ahmad Khan: Will the Government be pleased to lay on the table a statement showing—

- (1) the total number of government officials who are not members of an imperial or provincial service, and whose pay is Rs. 100 per mensem or over; and
- (2) the total monthly pay drawn by them.

The statement should give figures in each part for Hindus, Muslims and Indian Christians separately?

Kunwar Jagdish Prasad: A statement is laid on the table of the honourable member.

(See Appendix QQ, page 128.)

LEASES OF NAZUL LAND IN CAWNPORE.

16. Khan Bahadur Hafiz Hidayat Husain: (i) Will the Government be pleased to state if the municipal board of Cawnpore has lately been sanctioning leases of nazul land lying between the drains of the roads and the bungalows to the owners of the bungalows in the civil lines?

(ii) Are these lessees also allowed to remove the trees planted on these strips of land?

(iii) Will the Government be pleased to give the names of persons to whom leases of such plots have been granted since January 1, 1926, the area leased, the amount of the premium or periodical rent?

(iv) Has the collector of the district satisfied himself on every occasion that the leases were for the good management of nazul land?

Sir Ivo Elliott: (i) No leases of nazul land lying between the drains of the roads and the bungalows in the Civil Lines of Cawnpore have been sanctioned since January 1, 1926.

(ii) Lessees are not allowed to remove trees without permission.

(iii) and (iv) Do not arise.

SCARCITY OF WATER IN BANDA.

17. **Babu Kishori Prasad** : Is the Government aware of the fact that there is a great scarcity of water in Banda town during the hot weather? Do most of the wells get dried up? Are the majority of poor and middle class people compelled to use dirty and contaminated water of the tanks in the absence of other sources of water-supply?

Sir Ivo Elliott : (a) There is no scarcity of water in the town of Banda during the hot weather.

(b) No.

(c) No.

18. **Babu Kishori Prasad** : Is the Government aware of the fact that the canal water is supplied to the houses of the collector and the superintendent of police?

The Hon'ble Sir Sam O'Donnell : Yes—at the usual rates.

19. **Babu Kishori Prasad** : Is it a fact that some time back the municipal board applied to the canal authorities to get canal water in three of the tanks situated within a radius of three or four furlongs from the aforesaid houses?

The Hon'ble Sir Sam O'Donnell : At the request of the district magistrate a rough estimate, amounting to Rs. 18,000, for introducing water into Banda city was prepared by the executive engineer in 1923, and this was submitted to the secretary, municipal board.

20. **Babu Kishori Prasad** : Is it a fact that the canal authorities refused to supply the water in these tanks as the municipal board was unable to meet their exorbitant demands?

The Hon'ble Sir Sam O'Donnell : (1) Yes, as the Canal department could not agree to the conditions proposed by the municipal board. Under the rules in force the Canal department required that the cost of the proposed work should be deposited in the treasury before undertaking it; they further demanded the usual rate of Rs. 2-8-0 per 5,000 cubic feet of water supplied.

(2) Presumably because they were not prepared to deposit the full cost of the works in the treasury.

21. **Babu Kishori Prasad** : Will the Government be pleased to lay on the table the correspondence between the municipal board and the canal authorities regarding this matter?

The Hon'ble Sir Sam O'Donnell : The correspondence is laid on the table.

(See Appendix RR, page 131.)

QANUNGOS.

22. **Babu Kishori Prasad** : (a) Will the Government be pleased to give the following information :—

(a) How many qanungos were dismissed and on what charges by the district officers in these provinces during the last three years commencing from April 1, 1924?

(b) How many of the so dismissed qanungos appealed to the commissioners and were any such appeals allowed?

- (c) Why has the system of non-judicial second appeal to the Board of Revenue in such cases been abolished?

Mr. H. A. Lane: (a) Seven qanungos were dismissed and one removed by district officers and one was dismissed by the commissioner. The charges on which they were dismissed or removed were—

Extorting bribes from patwaris ...	...	...	1
Insubordination ...	...	...	1
Dishonest tampering with patwari records ...	...	...	5
Habitually doing (<i>farzi</i> or) fictitious work ...	...	...	1
Neglect of duty, failure to maintain diary, incorrect entry in diary, leaving circle without leave and failure to improve his work ...	...	...	1

(b) Out of the eight dismissed or removed by district officers only seven appealed to the commissioner and in one case only the appeal was partially allowed and the order of dismissal altered to that of removal.

(c) The change was made by the Legislative Council when it passed the Board of Revenue Act, 1922.

THE WETHERILL COMMITTEE'S REPORT.

23. Dr. Shafaat Ahmad Khan: Is it a fact that the report of the Wetherill Committee was submitted to the Government last year? If so, why has it not yet been published?

Mr. Panna Lal: The answer to the first part of the question is in the negative, the second part does not arise.

MUNICIPAL BOARD, FATEHPUR.

24. Babu Uma Shankar: Will the Government be pleased to give the number and names of the Hindu and Muslim employees of the Fatehpur municipal board who, since the chairmanship of Mr. Ahmad Kamal, resigned, were removed and dismissed?

25. Will the Government be pleased to state the number and names of Hindus appointed by the board or chairman from the beginning of 1926 to May 31, 1927?

26. (a) Will the Government be pleased to state the number, names, qualifications and pay of the Muslims appointed by the chairman or the board since January, 1926 to May 31, 1927? **(b)** Is the chairman a government nominee?

Sir Ivo Elliott: 24 to 26 (a) Statements containing the information required are laid on the honourable member's table.

(See Appendix SS, page 133.)

26(b) Yes.

27. Babu Uma Shankar: Will the Government be pleased to state whether the present chairman advertised for any of the posts or called for applications? If not, why not?

Sir Ivo Elliott: The post of the sanitary inspector had been advertised before the present board took office. It was not necessary to advertise, or invite applications for the other posts as they were unimportant and candidates already approved were available in sufficient number.

28. **Babu Uma Shankar :** Will the Government be pleased to state whether one Nisar Ahmad was ever the contractor of the Fatehpur municipal board before 1925?

Sir Ivo Elliott : Nisar Ahmad Khan was never a contractor of the board before 1926.

29. **Babu Uma Shankar :** Will the Government be pleased to state how many contracts were given to Nisar Ahmad singly and to Nisar Ahmad and Gajadhar Prasad jointly during the time of the present chairman?

Sir Ivo Elliott : Seven contracts for the total sum of Rs. 899-14-0 were given to Nisar Ahmad Khan alone, while one contract costing Rs. 979-11-0 was given to him jointly with Gajadhar Prasad.

30. **Babu Uma Shankar :** Is it a fact that Nisar Ahmad's own brother is the son-in-law of Mr. Amir Hasan Khan, member?

Sir Ivo Elliott : Yes.

31. **Babu Uma Shankar :** Is it also a fact that Nisar Ahmad is the relation of Mr. Ahmad Kamal, the chairman?

Sir Ivo Elliott : Yes.

32. **Babu Uma Shankar :** Will the Government be pleased to state the actual income of the Fatehpur municipal board in 1925-26 and in 1926-27.

Sir Ivo Elliott : The annual income of the board was Rs. 37,302 in 1925-26 and Rs. 40,002 in 1926-27.

CUSTODY AND MANAGEMENT OF STALLIONS.

33. **Khan Bahadur Shaikh Saiyid Muhammad :** Will the Government be pleased to state—

- (a) how many stallions in the province are under the direct management of the veterinary assistants;
- (b) how many are in the hands of private persons (*darindas*);
- (c) how many stallions have been removed from the control of the private persons and placed in charge of the veterinary assistants, and *vice versa*?

Mr. Panna Lal : (a) 17.

(b) 31.

(c) Three transferred from the charge of *darindas* to that of veterinary assistants or to Government dépôt.

34. **Khan Bahadur Shaikh Saiyid Muhammad :** (a) Is it a fact that the stallions of Dataganj have been removed from the charge of the private *darinda* who was keeping them for the last 30 years and placed under the control of the local veterinary assistant?

(b) What were the reasons that led to this removal?

Mr. Panna Lal : (a) Yes.

(b) There were repeated complaints against the *darinda* of want of care, and the district board requested that the stallions be transferred to their care.

35. **Khan Bahadur Shaikh Saiyid Muhammad :** (a) What was the condition of the said stallions at the time of the last visit of the Veterinary Adviser to the Government while in charge of the *darinda*?

(b) Did the inspecting staff ever complain against this *darinda*?

(c) What was the condition of the said stallions at the last visit of Veterinary Adviser to the Government after their removal to the charge of the veterinary assistant?

Mr. Panna Lal: (a) The Veterinary Adviser found the stallions badly kept and not properly looked after.

(b) Yes, several times.

(c) Good.

FREE AND COMPULSORY EDUCATION IN BUDAUN MUNICIPALITY.

36. Khan Bahadur Shaikh Saiyid Muhammad: (a) Will the Government be pleased to state when did the municipal board of Budaun forward its resolution on compulsory and free education to the Government?

(b) Has the Government yet approved the said scheme or not?

(c) If the answer of part (b) be in the negative, why its consideration has been delayed so long?

(d) When do Government propose to expedite its sanction?

Mr. Panna Lal: (a) The board passed in January, 1926, a resolution in favour of compulsory education in ward IV of the municipality. The details of the scheme contained discrepancies which were pointed out to the board by the Director of Public Instruction who asked the board to revise its scheme. The board has not yet submitted its revised scheme.

(b) and (c) Do not arise.

(d) When the board submits a complete self-consistent scheme it will be considered.

DRAINAGE SCHEME, BUDAUN.

37. Khan Bahadur Shaikh Saiyid Muhammad: Will the Government be pleased to state—

(a) What has been done by the Government in connexion with the drainage scheme of Budaun municipal board?

(b) Is the Government ready to advance any loan for that purpose?

Sir Ivo Elliott: (a) The preliminary project for the drainage scheme has been prepared by the superintending engineer and was sent to the municipal board on September 20, 1927.

(b) The question of a loan will be considered when the board applies for it.

LOAN FOR ELECTRIC AND FLUSHING SCHEMES TO BUDAUN MUNICIPALITY.

38. Khan Bahadur Shaikh Saiyid Muhammad: Do Government intend to advance loan to the Budaun municipal board for electric light and flushing schemes?

Sir Ivo Elliott: The board has not yet prepared any scheme for introducing electric light or flushing drains.

WELLS FOR DRINKING WATER IN BUDAUN.

39. **Khan Bahadur Shaikh Saiyid Muhammad :** (a) Is the Government aware that in a number of villages of the district of Budaun there are *kachcha* wells for drinking water highly injurious to health?

(b) Is it the intention of Government to arrange for the construction of at least one *pacca* well for drinking water in each and every village either at its own cost or at the cost of the district board?

Sir Ivo Elliott : (a) There are *kachcha* wells for drinking purposes in some villages of the district. But no complaint regarding the injurious nature of their water has so far been received.

(b) Efforts have always been made to provide *pacca* wells wherever required, and a large number of them have already been constructed out of panchayat funds, the flood relief fund and sanitary grants, supplemented by local subscriptions. The district board is ready to help in the sinking of more wells if the local zamindars cooperate with it and raise substantial subscriptions for the purpose.

HEAD CONSTABLES AND MUHARRIRS IN POLICE STATIONS, JHANSI.

*40. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the number of Hindu and Muhammadan head constables and muharris (who write reports) in police stations of Jhansi city and cantonment?

Kunwar Jagdish Prasad : Early in July when this information was received there were three head constables and four naiks and constables who write reports. All were Muslims.

LOAN OR GRANT TO JHANSI MUNICIPALITY FOR WATER-WORKS.

*41. **Pandit Bhagwat Narayan Bhargava :** Has the Government given any loans or grants to the Jhansi municipal board for water-works scheme? If so, how much? On what interest has the loan been given?

Sir Ivo Elliott : Not yet; but the Government intend to make a grant and to give a loan.

*42. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the work is to be carried out by the railway authorities?

Sir Ivo Elliott : Yes, up to the point of distribution to the municipal area.

*43. **Pandit Bhagwat Narayan Bhargava :** Has the Government itself made over the entire money to the railway or is it to be paid through the board?

Sir Ivo Elliott : The money will be paid through the board.

*44. **Pandit Bhagwat Narayan Bhargava :** Are the accounts of the work kept by the board or by the railway?

Sir Ivo Elliott : The authority constructing the work keeps the account.

VILLAGE PANCHAYATS IN JHANSI.

*45. **Pandit Bhagwat Narayan Bhargava :** What was the number of village panchayats in Jhansi district by the end of the year 1921-22 and what was it on March 3, 1927?

Sir Ivo Elliott : (a) 63.

(b) 64.

*46. **Pandit Bhagwat Narayan Bhargava :** Do Government intend to increase the number of panchayats in Jhansi district ?

Sir Ivo Elliott : Under the provisions of the Village Panchayat Act, this is a matter for the local authorities to decide.

REVENUE, CRIMINAL AND POLICE CASES IN LALITPUR.

*47. **Pandit Bhagwat Narayan Bhargava :** (a) How many criminal cases were decided by the munsif (2nd class magistrate), the European magistrate and the Indian magistrate posted at Lalitpur during the years 1925 and 1926 and how many police cases did each decide and how many of these resulted in conviction ?

(b) How many revenue (contested) cases were decided during the same period by the European and by the Indian assistant collectors posted to Lalitpur sub-division ?

Mr. R. L. Yorke : Statements are laid on the table.

(See Appendix TT, page 134.)

COLVIN TALUQDARS' SCHOOL, LUCKNOW.

*48. **Lieut. Raja Kali Charan Misra :** (a) Will the Government be pleased to lay on the table a statement showing the number of students in the Colvin Taluqdars' School, Lucknow, with the names of the districts they come from ?

(b) How many of these students have got private tutors ?

(c) How many of such private tutors are from amongst the school staff and how many are outsiders ?

(d) Is the rule in the United Provinces Educational Code regarding acceptance of private tuitions also applicable to the Colvin School teaching staff ?

Mr. Panna Lal : (a) A statement is laid on the table of the honourable member.

(b) 13.

(c) Eight from the school staff and seven from outside, two students have each two from outside.

(d) Yes.

(See Appendix UU, page 135.)

THE UNITED PROVINCES DEPUTY PRESIDENT'S SALARY (AMENDMENT) ACT.

The Hon'ble the President : I have to announce to the Council that the United Provinces Deputy President's Salary (Amendment) Act, I of 1927, which was passed by the United Provinces Legislative Council on April 2, 1927, and assented to by His Excellency the Governor on May 31, 1927, received the assent of His Excellency the Governor General on July 9, 1927.

THE NAIK GIRLS' PROTECTION BILL.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I beg to introduce the Naik Girls' Protection Bill.

The Hon'ble the President: The next item on the order paper is that the Naik Girls' Protection Bill be referred to a select committee. I have not yet got a list of the members of the select committee and I have had members come up to me protesting against the insufficient notice, or rather want of notice, of Government business for today and the subsequent days. The complaint, I am constrained to observe, is legitimate. I am prepared to believe that it is an unconscious departure from the practice prevailing in this House, as the nature of the business that the Government has to bring up before the House is always intimated in time. I hope that as this is the first, it will be also the last of its kind. Honourable members can certainly complain that they did not know that a Bill of this nature was to come up today and they are required to discuss the principles of it, and that as they have not been informed in time they are not prepared to discuss the principles of it. True, the Bill was published in the *United Provinces Gazette* on August 6, 1927, but it was only for general information. According to the standing orders, before a motion of this kind can be made in respect of a Bill, if any member objects that the Bill must have been available for the use of members seven days before the motion comes up, that objection shall prevail. I am not going to take a stand on a technical point alone. I quite believe that as this particular Bill is rather of an interesting nature, honourable members here and there will, probably without even getting adequate notice, be prepared to contribute interesting observations on the debate. But I am anxious to say, and I should like to make it quite clear from the Chair, that the motion to refer this Bill to a select committee, should not be made a precedent for any similar motion that may come up in future. Honourable members of this House are perfectly entitled to have notice in good time of the nature of Government business. The Government on the other hand are entitled to arrange their business in any order they like. But the nature must be intimated in good time. I should like to suggest to the Hon'ble the Home Member and if it meets the wishes of the House, that the next item on the order paper might be taken up on Monday. I believe what I have said from the Chair will satisfy those honourable members who have rightly complained on this score.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I agree that it may be taken up on Monday.

Mr. C. Y. Chintamani: With your permission, Sir, I wish to represent that it is not merely in connexion with this Bill but with regard to the whole official business of this session of the Council that non-official members have occasion to make a strong complaint against the procedure that the Government has chosen to adopt. We have on the table here a volume of supplementary estimates, and this sheet of paper, of which we have come to know only after entering this room, tells us that it is intended to take up the supplementary estimates on Monday. We are required in the ordinary course to give not less than 48 hours' notice of motions for reduction. Today is Saturday; to-morrow is Sunday, and until we had actually come into this room, we had not the faintest notion whether there were to be any supplementary estimates at all or what they were to be. You, Sir, have been pleased to refer to the circumstance that this Naik Reform Bill was published in the Gazette in the month of August for general information. A Bill might be published

[Mr. C. Y. Chintamani.]

for general information by a Government anxious to obtain due publicity and yet no one might be aware of their intention to introduce it and proceed with it in a particular session; and if non-official members have not been able to divine the intention of the Government to place that Bill upon the agenda for today or on Monday, it is less their fault than their misfortune in having a Government so callous even to considerations of ordinary courtesy to non-official members. We were told in the Gazette that the Land Revenue Bill would be introduced in this session, but we now see no mention of it. Now we, as professional politicians as the Hon'ble Finance Member, perhaps, might be pleased to describe us, or the non-professional variety of them, have other business to attend to and do not come to this Council prepared to discuss everything under the sun in the belief that the Government might dump upon us anything which pleases their sweet will. So far as this particular bill is concerned, I immediately respond to the appeal which you have made from the chair and shall raise no objection to the discussion upon it and to its being proceeded with on Monday, although I personally will be somewhat hampered if that course is taken. Still I shall make no objection in view of the important nature of the measure. But I think it is important from the point of view of the non-official members that we should place on record this protest against the course which the Government have chosen to adopt.

The Hon'ble Sir Sam O'Donnell: So far as the supplementary estimates are concerned, I admit that there was delay. It appears that there was delay in printing them up in the camp office occasioned possibly by the move from Naini Tal. I admit, and I regret, that there was delay in printing up these supplementary estimates and placing them before honourable members.

As regards the Naik Reforms Bill, a point not mentioned by my honourable colleague is that we had to consider two bills,—the official bill and a bill of which notice was given by a non-official member, which required the sanction of the Government of India, and before deciding about our own Bill we had to take the other Bill into consideration. That accounts for the delay in regard to the Naik Reforms Bill. It is always our desire to give non-official members the earliest information possible, and as you, Sir, said just now such information has been given in the past. We regret that for exceptional reasons, on the present occasion, early notice was not given of the business that we were bringing forward.

Pandit Iqbal Narayan Gurtu: May I request you, Sir, to find out from the Hon'ble the Finance Member whether he would stick to the rule that 48 hours' previous notice should be given of a motion for reduction in the supplementary estimates.

The Hon'ble the President: That I shall deal with later myself. I take it that it is the general wish of the House that the next item on the order paper be taken up on Monday. I hope the Hon'ble the Home Member will be ready with a list of the names of the members of the select committee before he proceeds with his motion.

As regards the supplementary estimates, tomorrow is Sunday, and I think notices for reduction will be in order, so far as I am concerned, if they are handed in to the office by 10 a.m. on Monday next.

[Some members:—" 11 a.m.".]

I said 10 a.m. in order to give some time to Government to consider the amendments. Personally, I have no objection. Has the Hon'ble the Finance Member any?

The Hon'ble Sir Sam O'Donnell: I have no objection to 11 a.m. on Monday next.

The Hon'ble the President: Notices for motions of reduction will be in order if they are received in office up to 11 a.m. on Monday next.

The Hon'ble the President then adjourned the Council till Monday, October, 31 1927.

APPENDIX A.

(See page 2 supra.)

Statement referred to in the answer to starred question No. 1 for
October 29, 1927.*Cattle slaughtered during the years 1924, 1925 and 1926.*

Division.		Consumption.		Trade.
Meerut	{	Dehra Dun	44,878	
		Saharanpur	94,215	
		Muzaffarnagar	48,817	
		Meerut	1,17,440	6,329
Agra	{	Aligarh	1,50,187	48,620
		Muttra	32,097	6,957
		Agra	88,451	1,08,475
		Mainpuri	29,792	3,231
Rohilkhand	{	Eath	46,327	
		Bijnor	48,136	
		Pilibhit	48,629	2,590
		Budaun	46,332	
Allahabad	{	Shahjahanpur	46,652	20,811
		Bareilly	57,290	28,741
		Moradabad	2,31,400	7,993
		Farrukhabad	93,574	
Jhansi	{	Cawnpore	70,951	
		Fatehpur	18,236	
		Etawah	10,917	9,349
		Allahabad	1,69,767	
Benares	{	Jhansi	17,418	9,495
		Jalaun	27,248	6,853
		Hamirpur	21,175	4,432
		Banda	25,724	1,270
Gorakhpur	{	Benares	84,045	
		Mirzapur	6,947	
		Jaunpur	30,954	
		Ghazipur	20,650	
Kumaun	{	Ballia	2,477	
		Gorakhpur	1,80,155	51,980
		Basti	26,050	7,470
		Azamgarh	1,16,683	
Lucknow	{	Naini Tal	11,972	
		Almora	15,553	
		Garhwal	319	
		Lucknow	4,14,637	1,065
Fyzabad	{	Unao	31,495	
		Rae Bareli	3,419	
		Sitapur	56,620	
		Hardoi	46,605	
	{	Kheri	40,185	
		Fyzabad	19,042	
		Gonda	81,468	
		Ba'raich	1,49,346	
	{	Sultanpur	23,522	
		Partabgarh	16,535	
		Bara Banki	17,646	

APPENDIX B.

(See page 2 *supra*.)

Statement giving amounts spent on Islamia schools and Maktab buildings during 1925-26.

District.	On Islamia schools.	On Maktab.	Remarks.
Dehra Dun ...	...	690	* Special repairs.
Saharanpur ...	*325	...	
Muzaffarnagar ...	...	...
Meerut ...	...	...
Bulandshahr ...	...	...
Total, Meerut division.	325	690	
Aligarh ...	...	...
Muttra ...	...	...
Agra ...	...	...
Mainpuri...	...	...
Etah ...	...	...
Total, Agra division...	...	...
Bareilly ...	...	...
Bijnor ...	...	...
Budaun ...	...	...
Moradabad ...	125	...	
Shahjahanpur ...	3,000	...	
Pilibhit ...	...	...
Total, Rohilkhand division.	3,125	...	
Farrukhabad ...	...	...
Etawah ...	...	...
Cawnpore ...	337	320 + 4,286†	† Spent by the Municipal Board, Cawnpore.
Fatehpur...	...	...
Allahabad ...	...	...
Total, Allahabad division.	337	4,606	
Banda ...	498	...	
Hamirpur ...	55	...	
Jhansi ...	...	...
Jalaun ...	...	...
Total, Jhansi division	553	...	

Statement giving amounts spent on Islamia schools and Maktab buildings during 1925-26--(concluded).

District.	On Islamia schools.	On Maktab.	Remarks.
Benares ...	...	...
Mirzapur ...	...	...
Jaunpur ...	1,253	...	
Ghazipur ...	459	...	
Ballia ...	...	...
Total, Benares division.	1,712	...	
Gorakhpur ...	440	...	
Basti ...	...	30	
Azamgarh ...	814	...	
Total, Gorakhpur division.	1,254	30	
Naini Tal ...	...	...
Almora ...	...	...
Garhwal ..	...	...
Total, Kumaun division	...	...
Lucknow ...	...	...
Unao ...	...	...
Rae Bareilly ...	...	...
Sitapur ...	...	...
Hardoi ...	...	...
Kheri ...	...	1,665	
Total, Lucknow division.	...	1,665	
Fyzabad ...	...	...
Gonda ...	60	...	
Bahraich ...	...	...
Sultanpur ...	3,118	...	
Partabgarh ...	...	...
Bara Banki ...	1,830	...	
Total, Fyzabad division.	5,008	...	
Total, United Provinces.	12,314	6,991	

APPENDIX C.

(See page 3 *supra*.)

*Statement referred to in answer to starred question No. 5 for
October 29, 1927.*

<i>Section.</i>	<i>Number of convicts.</i>	<i>Religion and nationality.</i>
120B ...	4	One Kayastha, one Parsi, two Brahmans.
124A ...	1	Hindu.
153A ...	2	One Brahman, one Muham- madan.
120B, 251/109 ...	9	Eight Jainis, one Vaisha.

APPENDIX D.

(See page 4 *supra*.)

**Statement referred to in answer to starred question No 11 for
October 29, 1927.**

*Statement showing the number of students of the Colvin Taluqdar's
School, Lucknow, who have become graduates or under-graduates.*

Since 1894, 18 have become graduates and 61 under-graduates. No record is available for the period 1890—93. The number of graduates during the last 15 years is 8. The actual year in which they graduated is not known. The number of under-graduates is as follows:—

1913-15 ...	...	...	None.
1916 ...	...	...	2
1917 ...	...	...	5
1918 ...	...	...	None.
1919 ...	...	...	4
1920 ...	...	...	None.
1921 ...	...	...	1
1922 ...	...	...	5
1923 ...	...	...	3
1924 ...	...	...	6
1925 ...	...	...	7
1926 ...	...	...	None.
1927 ...	...	...	3

APPENDIX E.

(See page 4 *supra*.)

Statement referred to in answer to starred question No. 14 for October 29, 1927.

Statement showing strength, qualifications, pay, &c., of the teaching staff of the Colvin Taluqdars' School Lucknow.

Name.	Designation.	Qualifications.	Length of service to May 31, 1927.	Salary.	Allowance.
J. C. Rees, Esq., ..	Principal	B.A. (Oxon)	Y. m. d. 16 4 0	Rs. 1,200	Rent free quarters.
G. W. H. Davidson, Esq., ..	Vice-Principal	M.A. (Honours in History), Edinburgh 1909. Set I.C.S. examination and obtained an Eastern Cadetship 1910. Two years' teaching experience in England; then 12 years in Egyptian Government service.	0 5 0	580	Ditto.
Miss K. Mackenzie	Lady teacher	Twenty years' experience and private teaching in England—two years with private pupils in India. Children have ranged from 8 to 18. Certificate for senior Edinburgh.	0 7 0	450	Ditto.
Babu Kali Nath Bajal	Head Master	B.A. (Allahabad), Agra College 1896 S.C. (Lucknow) trained, four years' experience of Government service at Fyzabad and Luckhimpur and 26 years at Colvin School.	25 11 0	340	Ditto.
M. Mahmud Hasan	1st Assistant Master.	B.A. (Allahabad). Passed from the Canning College, Mouvi Alim, Fazil.	21 6 0	200	Rs. 20 library allowance and rent free quarters.

Babu Shambhu Narain ..	2nd Assistant Master.	B.A. (Allahabad), St. John's College, Agra, S.C. (Allahabad) trained.	19 11 0	180	Rs. 20 games allowance and rent free quarters.
Babu Debi Sahai Srivastava	3rd Assistant Master.	B.A. (Allahabad), Canning College, L.T. (Allahabad).	9 11 0	150	Rent free quarters.
Syed Yusuf Husain Mosoi ..	4th Assistant Master.	B.A. (Lucknow), Canning College ..	0 10 0	100	
Thekur Bishwanath Singh ..	5th Assistant Master.	F.A. (Allahabad) ..	18 6 0	100	Rent free quarters.
Babu Ram Prakash Srivastava	6th Assistant Master.	F.A. (Allahabad), G.T. (Lucknow) trained.	15 10 0	95	Ditto.
Babu Krishna Kumar Tandon ..	Science Master ..	B.Sc. (Allahabad), Christian College, Lucknow, Passed M.Sc. Previous of Lucknow University in 1926.	11 8 0	150	
Babu Vejai Bahadur Sinha..	Agriculture Master.	Licentiate in Agriculture (Cawnpore) ..	9 9 0	100	
Babu Preya Lal Das ..	Drawing Master..	School Final Certificated Artist of Government School of Arts, Calcutta.	21 9 0	95	
Pandit Ram Nath Shastri ..	Sanskrit Master ..	Shastri of the Punjab University in Nyaya Shastra.	25 11 0	95	
M. Afzal Husain..	Persian Master ..	Munshi Fazil, Moulvi and V. T. C. ..	10 6 0	65	

APPENDIX F.

(See page 4 *supra*.)

Statement referred to in the answer to starred question No. 16
for October 29, 1927.

1. The Commissioner, Lucknow Division.
2. The Deputy Commissioner, Lucknow.
3. The Inspector of Schools, Lucknow Division.
4. Two eminent educationists to be nominated by the Managing Committee of the Colvin Taluqdars' School, of whom one shall be an officer or teacher of the Lucknow University.
5. Two zamindars of the Agra Province to be nominated by the British Indian Association, Oudh.
6. Two ex-students of the Colvin Taluqdars' School to be nominated by the British Indian Association, Oudh.
7. Eight members of the British Indian Association, Oudh, to be nominated by the Association.

The Commissioner, Lucknow Division, is the President of the Managing Committee.

The Principal, Colvin Taluqdars' School, is *ex officio* Secretary of the Managing Committee, without a vote.

The Managing Committee controls the funds of the school and manages the school.

APPENDIX G.

(See page 4 *supra*.)

Statement referred to in answer to starred question No. 19
for October 29, 1927.

	Class.	Subject.	Period per week.	Total number of periods per week.
Principal .. {	X	English Text, Grammar and Composition.	8	9
	IX	English Composition ..	1	
	X	History ..	3	
	IX	English Text, Grammar and Composition and Dictation.	8	
Vice-Principal .. {	IX	History ..	3	23
	VIII	English Composition ..	3	
	VII	Ditto ..	3	
	VI	Ditto ..	3	
Head Master .. {	X	Mathematics ..	9	24
	IX	Ditto ..	9	
	VIII	Geometry ..	3	
	VII	Ditto ..	3	

APPENDIX H.

(See page 5 *supra*.)

Statement showing number of tube wells taken up by each municipality together with the contribution given by Government for the purpose referred to in answer to starred Council question. No. 20 for October 29, 1927.

Serial	Name of municipality.	Number of tube wells.	Cost of construction.	Government contribution.	Remarks.
			Rs.	Rs. a. p.	
1	Aligarh ..	4	96,256	..	Expenditure includes cost of central sump, suction tunnels, pumping house building and staff quarters.
2	Allahabad ..	5	3,04,695	1,46,772 7 11	Expenditure includes cost of pumping machinery, engine and pump house, staff quarters and appurtenant works.
3	Ajodhya ..	1	18,556	18,556 0 0	The work is in hand.
4	Bahraich ..	1	51,040	..	Expenditure includes cost of pump, engine house and flushing tanks.
5	Benares ..	2	1,13,773	97,647 0 0	Expenditure includes cost of plant, equipment, compressor room and appurtenant works.
6	Brindaban ..	1	23,270	10,000 0 0	The work is in hand.
7	Cawnpore ..	2	26,000	26,000 0 0	
8	Etawah ..	1	20,803	6,023 0 0	
9	Farrukhabad ..	1	14,381	..	
10	Fatehpur-Sikri ..	1	12,000	12,000 0 0	The work is in hand.
11	Firozabad ..	1	16,040	13,950 0 0	

Statement showing number of tube wells taken up by each municipality together with the contribution given by Government for the purpose referred to in answer to starred Council question No. 20 for October 29, 1927—(concl'd.)

Serial No.	Name of municipality.	Number of tube wells.	Cost of construction.	Government contribution.		Remarks.
				Rs.	Rs. a. p.	
13	Fyzabad ..	4	2,07,176	2,05,000	0 0	Expenditure includes cost of power house, plant and equipment, central sump, suction tunnels, staff quarters and appurtenant works.
14	Gola Gokaran Nath ..	1	7,443	..	..
15	Hathras ..	1	..	..	..	The work is in hand.
16	Jaunpur ..	1	..	20,000	0 0	
17	Kosi ..	1	12,942	12,942	0 0	Ditto.
18	Lucknow ..	4	70,771	..	..
19	Muttra ..	4	1,68,003	96,000	0 0	Expenditure includes cost of plant and equipment, delivery pipes and appurtenant works.
20	Meerut ..	1	14,237	18,548	0 0	
21	Moradabad..	1	14,846	14,346	0 0	Expenditure includes cost of pumping plant, central sump, suction tunnel and appurtenant works.
22	Shahdara (Delhi) ..	1	11,488	..	..
23	Unao ..	1	8,419	8,468	0 0	The tube well has been constructed and financed by Government on the condition that if the tube well proves successful the municipal board will take over the tube well on payment of Rs. 3,500, being cost of casing pipes.
24	..	1 experimental tube well.	5,026	5,026	0 0	

APPENDIX I.

(See page 7 *supra*.)

Statement showing Hindu charitable, registered and non-registered, endowments with income of Rs. 5,000 and over per year in the district of Garhwal.

Name of endowment.	District.	Annual income.	Name of manager or mahant.	Is manager or mahant assisted by a managing committee.	Is managing committee elected or nominated.	Is manager or mahant elected.	What percentage of income is spent on public utilization like schools or dispensaries.
Sadabart fund	Garhwal	Rs. 17,098	Deputy Commissioner, Garhwal, as administrator of the Sadabart fund.	No	..	..	The whole income is spent on medical and sanitary aid to the pilgrims to Badrinath and Kedarnath.

APPENDIX J.

(See page 8 *supra*.)

J. — Statement showing the number of depressed class schools which were started and closed during the year 1925-26.

District boards.				Number of schools started.	Number of schools closed.
Dehra Dun	...	...	...	...	...
Saharanpur	...	...	...	1	...
Muzaffarnagar	...	...	...	6	1
Meerut	...	...	...	12	12
Bulandshahr	...	...	...	3	1
Total, Meerut division				22	14
Aligarh	...	...	...	3	1
Muttra	...	...	...	...	...
Agra	...	...	...	3	1
Mainpuri	...	...	...	...	...
Etah	...	...	...	1	3
Total, Agra division				7	5
Pareilly	...	...	...	...	...
Bijnor	...	...	...	...	...
Budaun	...	...	...	...	...
Moradabad	...	...	...	...	...
Shahjahanpur	...	...	...	...	3
Pilibhit	...	...	...	...	...
Total, Rohilkhand division				...	3
Farrukhabad	...	...	...	...	...
Etawah	...	...	...	1	...
Cawnpore	...	...	...	3	...
Fatehpur	...	...	...	...	...
Allahabad	...	...	...	4	4
Total, Allahabad division				8	4
Banda	...	...	...	...	...
Hamirpur	...	...	...	...	...
Jhansi	...	...	...	10	5
Jalaun	...	...	...	8	4
Total, Jhansi division				18	6

I.—Statement showing the number of depressed class schools which were started and closed during the year 1925-26.—(concluded.)

District boards.				Number of schools started.	Number of schools closed.
Benares	...	...	...	...	...
Mirzapur	...	...	...	...	...
Jaunpur	...	...	...	3	7
Ghazipur	...	...	...	...	5
Ballia	...	...	...	...	...
Total, Benares division				3	12
Gorakhpur	...	...	...	...	1
Basti	...	...	...	1	...
Azamgarh	...	...	...	2	2
Total, Gorakhpur division				3	3
Naini Tal	...	...	...	10	...
Almora	...	...	...	9	3
Garhwal	...	...	...	...	...
Total, Kumaun division				19	3
Lucknow	...	...	...	...	...
Unao	...	...	...	1	1
Rae Bareli	...	...	...	...	...
Sitapur	...	...	...	3	2
Hardoi	...	...	...	4*	2†
Kheri	...	...	...	...	...
Total, Lucknow division				8	5
Fyzabad	...	...	...	...	...
Gonda	...	...	...	...	1
Bahraich	...	...	...	4	...
Sultanpur	...	...	...	2	2
Partabgarh	...	...	...	1	1
Bara Banki	...	...	...	...	...
Total, Fyzabad division				7	4
Total, United Provinces				95	62

*Converted from district board preparatory schools to district board depressed class schools.

†Converted from district board depressed class schools to district board preparatory schools

II.—Statement showing the number of depressed class schools which were started and closed during the year 1925-26.

Municipal boards.				Number of schools started.	Number of schools closed.	Remarks.
1.	Dehra ...	...	...	...	...
2.	Mussooree	...	...	...	...
3.	Saharanpur	...	...	...	...
4.	Hardwar Union	...	...	...	...
5.	Deoband	...	...	...	...
6.	Roorkee	...	...	...	...
7.	Muzaffarnagar	...	...	2	...	
8.	Kairana	...	...	...	...
9.	Meerut	...	...	3	...	
10.	Ghaziabad	...	...	2	...	
11.	Hapur ..	...	...	...	...
12.	Bulandshahr	...	...	...	...
13.	Khurja	...	...	2	...	
14.	Sikandrabad	...	...	2	...	
15.	Koil (Aligarh)	...	...	1	2	
16.	Hathras	...	...	...	...
17.	Atrauli	...	...	...	...
18.	Sikandra Rao	...	...	...	...
19.	Muttra	...	...	4	...	
20.	Brindaban	...	...	...	...
21.	Agra	...	...	...	...
22.	Firozabad	...	...	...	...
23.	Mainpuri	...	...	8	...	
24.	Etah ...	...	...	...	...
25.	Soron ...	...	...	...	...
26.	Kasganj	...	...	...	...
27.	Jalesar	...	...	...	...
28.	Bareilly	...	...	...	...
29.	Bijnor	...	...	...	...
30.	Chandpur	...	...	...	...
31.	Dhampur	...	...	...	...
32.	Nagina	...	...	...	...
33.	Najibabad	...	...	...	...
34.	Budaun	...	...	...	...
35.	Ujhani	...	...	...	...
36.	Sahaswan	...	...	...	...
37.	Moradabad	...	...	...	...
38.	Chandausi	...	...	...	...
39.	Amroha	...	...	...	...
40.	Sambhal	...	...	...	...
41.	Shahjahanpur	...	...	...	...
42.	Tilhar	...	...	...	...

II.—Statement showing the number of depressed class schools which were started and closed during the year 1925-26—(concluded.)

Municipal boards.	Number of schools started.	Number of schools closed.	Remarks.
43. Pilibhit	
44. Bisalpur	
45. Fatehgarh-cum-Farrukhabad ...	1	...	
46. Kanauj	
47. Etawah	
48. Cawnpore	
49. Fatehpur	
50. Allahabad	
51. Jhansi	
52. Mau	
53. Lalitpur	
54. Jalaun (Orai)	
55. Kalpi	
56. Kunch	
57. Banda	
58. Benares	
59. Mirzapur	
60. Jaunpur	
61. Ghazipur	
62. Ballia	
63. Gorakhpur	
64. Azamgarh	
65. Naini Tal	
66. Kashipur	
67. Almora	1*	*This is an aided school. As the management was transferred to a mission, the board withdrew the grant-in-aid from January 1, 1926.
68. Lucknow	
69. Unao	
70. Rae Bareli	
71. Sitapur	
72. Khairabad	
73. Hardoi	
74. Shahabad	
75. Sandila	
76. Lakhimpur	
77. Fyzabad	1	...	
78. Tanda	
79. Gonda	
80. Balrampur	
81. Bahraich	
82. Sultanpur	
83. Bela (Partabgarh)	
84. Nawabganj (Bara Banki)	
	26	3	

APPENDIX K.

(See page 8 *supra*.)

District.				Number of supervisors of depressed class schools.	Number of supervisors that belonged to depressed classes (included in column 2).
1				2	3
1.	Bareilly	...	...	1	None.
2.	Bijnor	...	...	1	...
3.	*Budaun	...	...	1	1
4.	Moradabad	...	...	1	None.
5.	† Shahjahanpur	...	...	1	...
6.	Pilibhit	...	...	1	...
7.	Benares	...	...	1	...
8.	Mirzapur	...	...	...	...
9.	Jaunpur	...	...	1	None.
10.	Ghazipur	...	...	...	...
11.	Ballia	...	...	1	None.

* For some months during the year 1925-26.

† For about four months in the beginning of 1925-26.

APPENDIX L.

(See page 8 *supra*.)

Statement referred to in the answer to starred question nos. 36 to 38 for October 29, 1927.

Name of district board.	Number of district board depressed class schools in 1925-26.	Number of scholars in the schools shown in column 2.	Number of schools closed in 1925-26.	Number of teachers in the depressed class schools.	Number of depressed class teachers in schools for depressed classes.
1	2	3	4	5	6
Bareilly	11	205	None	11	None
Bijnor	7	205	None	7	3
Budaun	6	131	None	7	1
Moradabad	14	214	None	14	None
Shahjahanpur	12	326	3	12	4
Pilibhit	7	178	None	7	2
Benares	3	153	None	4	1
Mirzapur	3	52	1	2	2
Jaunpur	18	627	7	18	6
Ghazipur	Nil	Nil	None	None	None
Ballia	14	407	..	14	None

APPENDIX M.

(See page 9 *supra*.)

*Statement referred to in answer to starred question No. 41 for
October 29, 1927.*

District.	Number of Hindu members of district board.	Number of Hindu members belonging to depressed classes.
Benares	19	Nil
Mirzapur	20	Nil
Jaunpur	30	1
Ghazipur	21	1
Ballia	22	1

APPENDIX N.

(See page 9 *supra*.)

*List of chairmen of the district boards in the Benares and
Rohilkhand divisions.*

District.	Name of chairman.	Caste in case of Hindus.
BENARES DIVISION.		
Benares ...	Thakur Prasidh Narayan Singh.	Kshattriya.
Mirzapur ...	Pandit Sri Sadayatan Pande...	Brahmin.
Jaunpur ...	Raja Harpal Singh ...	Kshattriya.
Ghazipur ..	Babu Jagdeva Rai Sahib ...	Bhumihar Brahman.
Ballia ...	Rai Sahib Thakur Sheo Darshan Singh.	Kshattriya.
ROHILKHAND DIVISION.		
Bareilly ...	Kuar Dhakan Lal ...	Kurmi.
Bijnor ...	Rai Bahadur Sahu Jagmander Das.	Jain.
Budaun ...	Rai Bahadur Brij Lal Badhwar.	Khatri.
Moradabad ...	Rai Bahadur Pandit Banarsi Prasad Misra, B.A.	Gour Brahmin.
Shahjahanpur ...	Babu Manmohan Sahai ...	Kayastha.
Pilibhit ...	Rai Bahadur Sahu Ram Swarup, O.B.E.	Vaish Agarwala.

APPENDIX O.

(See page 9 *supra*.)

*Statement referred to in reply to starred question No. 43 for
October 29, 1927.*

Statement showing district boards which incurred the expenditure on
scholarships to boys of the depressed classes during the year 1925-26.

District.					Amount spent.
					Rs.
1. Saharanpur	...	...	...	...	57
2. Meerut	...	...	...	...	438
Total					495
3. Agra	...	...	...	...	47
4. Mainpuri	...	...	...	...	153
Total					200
5. Bareilly	...	...	...	...	58
6. Bijnor	...	...	...	...	140
7. Moradabad	...	...	...	...	214
8. Filibhit	...	...	...	...	220
Total					632
9. Farrokhabad	...	...	...	...	819
10. Etawah	...	...	...	...	351
11. Cawnpore	...	...	...	...	307
12. Fatehpur	...	...	...	...	186
13. Allahabad	...	...	...	...	391
Total					2,054
14. Jhansi	...	...	...	...	107
15. Jalaun	...	...	...	...	48
16. Hamirpur	...	...	...	...	312
Total					467
17. Ghazipur	...	...	...	...	6
18. Ballia	...	...	...	...	102
Total					108
19. Basti	...	...	...	...	360
20. Azamgarh	...	...	...	...	246
Total					606

District.					Amount spent.
					Rs.
21.	Naini Tal	...	..	...	455
22.	Almora	...	...	...	804
23.	Garhwal	...	...	...	595
				Total	1,854
24.	Unao	...	...	...	148
25.	Bae Bareli	...	...	...	43
26.	Sitapur	...	...	...	256
27.	Hardoi	...	...	...	6
28.	Kheri	...	...	...	83
				Total	536
29.	Gonda	...	...	...	104
30.	Partabgarh	...	...	...	151
31.	Bara Banki	...	...	...	50
				Total	305
				GRAND TOTAL	7,257

APPENDIX P.

(See page 10 *supra*.)

FROM

DR. A. SOUSA, F.R.C.S. (EDIN.), D.P.H. (IRE.),
ASSISTANT DIRECTOR OF PUBLIC HEALTH,
III RANGE, UNITED PROVINCES,

To

THE DIRECTOR OF PUBLIC HEALTH,
UNITED PROVINCES.

Dated Allahabad, March 2, 1926.

SIR,

WITH reference to my deputation to Japan for participation in the Interchange of Health Officers under the auspices of the League of Nations (Health Section), I have the honour to submit the following report:—

General administration.—The sanitary and medical administration in general is in charge of the Director of the Sanitary Bureau, under the Minister of Home Affairs. The administration of school hygiene is under the Minister of Education, while that of military and naval sanitation is in charge of Ministers of War and Navy respectively.

Industrial hygiene although under the Home Minister is administered by the Bureau of Social Work.

Advisory Councils—There are two advisory councils: (1) The Central Board of Health which is chiefly an advisory body, (2) the Board for the Investigation of National Hygiene. This is an organization specially established for the purpose of investigating measures necessary for the improvement of national health. Its members are specialists of various subjects selected from both officials and non-officials.

There is also a council for the revision of the Japanese Pharmacopoeia.

Provincial Organization.—The provinces or prefectures are under the Government and the sanitary administration of the province is in charge of the Police department in which sanitary sections are established. To each of such sanitary sections health experts and a laboratory are attached. The police carry out the sanitary arrangements, while the health experts act as advisers and supervisors.

In Japan the policeman carries much respect and is considered as a guardian and the people willingly co-operate with his administration.

Most cities and towns have their own sanitary departments and a hygiene laboratory. Most villages have their sanitary officials and physicians. The physician is ordinarily a practitioner in the village and is appointed by Government to afford sanitary and medical relief at a certain remuneration.

The head of the Public Health Service in Japan is generally a senior civil servant but the door is not barred to a competent technical officer. This arrangement seems to have worked well in Japan where a great deal of attention is paid to sanitation and a large amount of money is devoted to sanitary equipment, and research institutions.

Medical officers of health are not required to have a special qualification like the D.P.H. in the British Empire and there is no such course instituted in any of the medical colleges in Japan.

The posts of medical officers of health are given to those who have undergone post-graduate course in infectious diseases, fever hospitals, research institutions, etc. The question of the necessity of special training in public health was brought up and this is now under the consideration of the Director of the Sanitary Bureau.

Laboratories.—There are 87 Government Bacteriological laboratories throughout the country. The cities and towns have 25 laboratories in addition, while there are 28 private ones.

In Tokyo there are two big laboratories, namely, the Infectious Diseases Investigation Institute which belongs to Government and the Kitasato Institute which is under the direction of the famous Dr. Kitasato, the discoverer of the plague bacillus and Dr. Shiga, the discoverer of the dysentery bacillus.

These laboratories are exceedingly well equipped and staffed.

In the Infectious Diseases Investigation Institute the staff consists of ten experts, twenty-five technical assistants, three pharmacists, five clerks, and three nurses. In addition *twenty unpaid technical assistants* are generally engaged in research work.

All the above laboratories carry out research, examine clinical material in connexion with infectious diseases and manufacture sera and vaccines. The provincial laboratories also engage in the preparation of material, culture media, and the like to facilitate the early diagnosis of infectious diseases. These are placed at the disposal of the general practitioner *free of charge*.

Imperial Hygienic Laboratories.—There are two in number, in Tokyo and Osaka, respectively. These are engaged in the analysis of food, drinks, and drugs.

The Tokyo laboratory also does research in drugs and the cultivation of medicinal plants. The staff of these laboratories consists of eight experts, nineteen technical assistants, and five clerks. Each laboratory has a superintendent appointed from amongst the experts.

During the world war when the difficulty of the importation of drugs was acute, these laboratories undertook an inquiry on the subject and proved very useful. Temporary staff of six experts, eleven assistant experts and one clerk was and is still engaged in the experimental manufacture of certain drugs and cultivation of medicinal plants.

The Research Institute of Nutrition.—This institute is devoted to the problem of nutrition from scientific and practical aspects. It is at present engaged in the investigation of (a) main food of the country, (b) nutrition of the Japanese individually and as a people, (c) food materials for famine relief, (d) miscellaneous problems concerning nutrition, (e) it also does propaganda work by

publishing standard menus and acquainting the public with the institute and its work. This institute is doing a great work of national value and excited the admiration of all my colleagues. The staff consists of six experts, nine technical assistants including the superintendent, and two clerks. *Ten unpaid assistant experts* generally do research work here.

Infectious diseases.—The following ten are included among the infectious diseases and are notifiable:—Cholera, dysentery, typhoid, paratyphoid, small-pox, exanthematous typhus, scarlet fever, diphtheria, epidemic cerebrospinal-meningitis and plague.

In case any measures are necessary against a disease not included in the above ten, the competent Minister may designate such disease.

Among the usual preventive measures the following may be mentioned:—

All persons are under an obligation of either promptly calling in a doctor or notifying the authorities when an infectious case occurs in their household. The physicians must report to the authorities within twelve hours of the discovery of an infectious case.

The competent officer has power to remove the infectious case to an isolation hospital and in case of cholera, typhus or plague to suspend communication with the infected locality for a prescribed period or to isolate "contacts" in a suitable place for a fixed period. Persons suffering from cholera, small-pox, typhus, plague are always isolated, while more than 80 per cent. of those suffering from other infectious diseases, except diphtheria, are also isolated. Most diphtheria cases are allowed treatment at home provided they follow the prescribed rules of isolation in a separate room with separate feeding utensils, etc. Persons suffering from infectious diseases are prohibited from engaging in occupation likely to spread infection. Corpses of infectious cases are cremated. Interment is permitted only in special cases and after satisfactory disinfection arrangements.

Householders are responsible for cleaning and disinfection of their houses to the satisfaction of the competent officer; although the city, town, and village authorities generally give free help and preventive measures within their jurisdiction.

If the epidemic situation so demands, the local Governor has wide powers to order any measures necessary to prevent the spread of infection.

Bacilli carriers.—Measures are adopted for the control of carriers. If cholera appears, the excreta of all members of the patient's household, of all fellow-passengers if the case occurs on a ship, of all persons who have been in communication with him and of those who use the same well and water-closet, are bacteriologically examined.

Cholera carriers are isolated until two consecutive examinations, at an interval of not less than 24 hours, fail to demonstrate the cholera vibrio.

Patients suffering from dysentery, typhoid fever, paratyphoid fever, etc., who continue to discharge bacilli after the attack are treated as patients for specified periods after which those that are still carriers must observe the following conditions: (a) water-closet accommodation should

be reserved for their exclusive use, (b) chamber-pots to be disinfected after use, (c) anything fouled by their urine and faeces to be disinfected.

For diphtheria and cerebrospinal-meningitis carriers: (a) They should have separate eating and drinking vessels, bed clothes, bedding, etc. Clothes and bedding to be frequently exposed to sun, (b) handkerchiefs or pieces of cloth fouled with their nasal mucus or sputa should be disinfected or burnt, (c) they should not enter theatres or other public places.

The police officials are responsible for the practical enforcement of preventive measures. There are also sanitary associations all over the country which give help to police officers by undertaking house-to-house visitations for the detection of cases and assist in carrying out disinfection.

Infectious diseases. Cholera.—Being a sea-girt country Japan is always exposed to infection from abroad and consequently there have been a number of outbreaks. In recent years there has been no widespread prevalence owing to the strict quarantine regulations and preventive measures adopted; whenever unusual prevalence is reported from foreign countries, a bacteriological examination of the excreta of passengers and crews of ships from infected ports is carried out. By this means a fairly large number of cholera patients and carriers have been detected and preventive measures taken accordingly. A good number of the Japanese eat raw fish and fish has been commonly incriminated as one of the agents in the transmission of infection. Cholera vibrios have been found in fish in infected localities. Consequently fishing and swimming in suspected waters is prohibited during an epidemic. The two most important anti-cholera measures adopted in Japan are (1) the search for cholera carriers and (2) cholera vaccination. During the epidemic all are advised to undergo vaccination and those who are likely to contract and spread the disease are vaccinated. People now voluntarily come forward for vaccination thus sparing the authorities the trouble of using any compulsion or persuasion. On my arrival in Kobe, I learnt that cholera was prevailing there, and that 70 cases had occurred in two months with 40 deaths. On my inquiry as to the preventive measures adopted, I was simply surprised to learn that nearly 350,000 people (over half the population) had got themselves vaccinated. Under these conditions the disease has no chance of spreading; it actually died out soon after. In India such an epidemic would have claimed thousands of lives owing to the opposition of the people to preventive measures.

Dysentery—This disease was widely prevalent, but now the cases number nearly 12,000 per year or about 2 per thousand of the population. The case mortality rate is between 20 and 25 per cent. It is generally prevalent in the summer when the fly nuisance is great. The dysentery is chiefly of the bacillary type, only a few cases of the amoebic type have been discovered. "Ekir," a disease resembling infantile dysentery, occurs chiefly among children from two to six years of age and the death-rate is higher than that of dysentery. Opinions are divided as to whether the disease is a new type or whether it is a form of dysentery.

Typhoid fever.—The annual incidence of this disease is nearly 50,000 and the average death-rate about 21 per cent. The cases occur

more in cities and towns than in villages. The epidemic attains the greatest prevalence from August to October.

The special measures taken are to improve existing water-supplies, conservancy arrangements, encouragement of preventive inoculation, and search for bacilli carriers. Anti-typhoid vaccination is practised on a large scale and has proved of considerable value in reducing the incidence.

In the Japanese army the vaccination was started in 1909, and the incidence has been reduced from 7.04 per 1,000 soldiers in 1908 to 0.59 in 1923. The navy started vaccination in 1916 and the incidence has been reduced from 3.39 in 1916 to 0.41 in 1921.

Both the Japanese army and navy submit their entire strength to vaccination once a year. A mixed typhoid paratyphoid A and B vaccine is used.

Paratyphoid.—Claims 6,000 cases annually with death-rate of 10 to 12 per cent. and prevails about the same period as typhoid fever. The preventive measures are the same as in the case of typhoid fever.

The incidence of dysentery, typhoid, and paratyphoid will be greatly diminished when the conservancy arrangements are improved and the existing practice of using crude night-soil as manure in fields, is abolished.

Diphtheria.—The seasonal prevalence of this disease begins in October and reaches its climax in December. The epidemic continues till March and April of the following year. It is least active in August. Occurs frequently in the northern and north-eastern provinces. Since the liberal distribution of the anti-diphtheritic serum the mortality rate decreased from 58.74 per cent. in the period 1880—1894 to 24.35 per cent. in the period 1920—1923.

Steps are taken to ensure an adequate supply of serum. Town and village offices all over the country are instructed to keep a stock of the serum ready for use at all times.

Small-pox was widely prevalent in the country. From 1880 accurate statistics have been maintained and during the forty-year period six virulent epidemics have been recorded. During the last few years there has been a considerable decrease and since 1908 the sick rate has never exceeded one per 10,000 of the population.

The vaccination regulations were introduced in 1874. The present law, which has been in force since 1910, provides for two compulsory vaccinations. The first within six months after birth and the second (re-vaccination) at 10 years of age.

Education being compulsory, the heads of schools, infant asylums, and other similar institutions, are required to see that all children in their respective institutions are vaccinated and consequently very few escape vaccination.

Recent infections have been imported through fishermen who lead nomadic lives and consequently escape registration and vaccination.

Typhus.—There are records that this disease prevailed in epidemic form at various times before 1889. Since then there has been a signal decrease and in recent years only sporadic cases have occurred.

Scarlet fever in Japan is of mild type. Only sporadic cases are reported.

Cerebro-spinal meningitis.—In 1918 this disease was placed on the statutory list of infectious diseases. In 1919, 2,400 cases were reported. The subsequent annual total cases have averaged about 700. It prevails generally in Osaka, Hyogo, Kyoto. The case mortality rate is about 50 per cent. Children of tender age are the most frequent victims. The seasonal prevalence is March, April, and May.

Plague.—In 1896 a Chinese passenger was detected on a steamer suffering from plague. In subsequent years other imported cases were detected by quarantine officers. It was not till 1899 that the first indigenous case was discovered in Kobe.

Since then plague has appeared from time to time. The worst period of its prevalence was from 1904 to 1910 when there were altogether, for the six years, 2,211 cases, which is a very small number as compared to India.

Plague has been almost entirely of bubonic type except for a small outbreak of 11 cases of pulmonary plague which occurred in a village in 1914. The case mortality rate has varied from 75.4 to 88.9 per cent. October and November are usually the months of maximum incidence.

From the examination of different species of rats it has been found that the house rats are more infected and that a large percentage of fleas found on rats in infected places, are of the species *Xenopsyllacheopsis*. The usual preventive measures are adopted against the disease. Although the incidence of the disease is very low as compared to India, the authorities offer rewards for catching rats throughout the year even in non-epidemic times in the larger cities especially those with ports. The rats brought in are subjected to microscopic examination. Whenever plague occurs or plague-infected rats are found, a thorough investigation is carried out with special reference to movements of merchandise in the infected locality and at the same time special measures for the destruction of rats and fleas are undertaken. The authorities usually employ rat-catching parties in the infected localities. Fine meshed nets three feet high are set around the houses to prevent rats escaping. Hydrogen sulphide has been found particularly effective in the destruction of fleas.

Quarantine regulations.—These regulations are strictly carried out in Japan where the danger of infection from the sea is great. The quarantine stations we visited were exceedingly well equipped and provided with laboratories for immediate detection of the diseases. There is no doubt that this strict quarantine procedure has been largely responsible for preventing the outbreaks of epidemics.

Yellow fever.—No case has been discovered yet although *Stegomyia* mosquitoes occur.

Relapsing fever.—Cases were found during the Sino-Japanese War (1894-95) when the infection was introduced from China and Korea. Many cases were observed in 1902 in Osaka Province and the surrounding districts. In 1909 the provinces of north-eastern part were swept by a wave of relapsing fever. In recent years only a few sporadic cases have been recorded.

Measles is regarded in Japan as a disease from which everyone must suffer once in a life-time. Its seasonal prevalence is spring and autumn.

Whooping cough occurs sporadically and is most common in winter or early spring.

Influenza.—There have been epidemics from this disease from time to time. The last one was the epidemic of 1918 when it invaded Japan in the month of August and claimed an incidence of 370·13 persons per 1,000 of population in the first year with case mortality rate of 1·22 per cent.

Cases were most numerous in the age group 21–30. The two sexes were equally affected. The death-rate was highest among the very old and the very young.

The usual measures are taken against the disease and in addition people are encouraged to use masks and practise gargling, while patients are isolated in their own houses. During our visit we saw a number of persons going about with masks, an uncommon sight in India.

Encephalitis Epidemica or Lethargica.—The first cases were reported after the influenza epidemic of 1918 and 1919 and the disease was very active during the summer of 1924, when a severe drought and excessive heat were experienced. It attacks sporadically many people in different localities simultaneously, multiple cases in one house being very rare. It is common in persons over 60 years of age, in men slightly more than in women. Case mortality rate is about 60 to 65 per cent.

Hydrophobia.—The following preventive measures are in force:—

- (1) All dogs are registered.
- (2) At regular intervals endeavours are made to capture ownerless and wild dogs.
- (3) When necessary special orders are issued for the custody of dogs, muzzling, etc.
- (4) Movements of dogs from one district to another are controlled.
- (5) The public are acquainted with the dangers and prevention of rabies by educational propaganda.
- (6) Persons bitten are at once submitted to treatment.
- (7) Dr. Umeno's method of preventive vaccination of dogs has been carried out since 1918, especially in the affected districts. The demand for preventive vaccination is increasing and since the adoption of this measure the incidence of the disease has markedly decreased.

Tuberculosis.—The first statistical study was undertaken in 1899. During the last ten years the disease has not shown any signs of abatement. The death-rate is higher in cities than in rural areas. The death-rate for the whole country from 1915 to 1920 was 23·11 per 10,000 of population, while for more than 40 cities of over 50,000 people each, the rate was roughly 36·09. The death-rate among women, at age group 15 to 20 years, is double that of men. This is attributed to sedentary work and physiological changes attendant upon marriage and confinement.

The law for the prevention of tuberculosis was enacted in 1919. It provides that (1) physicians should instruct their patients in methods of disinfection and other preventive measures and the patients are required to comply with these instructions, (2) the administrative authorities are required to take all the preventive measures in infected buildings, (3) the authorities also carry out the health examination of persons who are engaged in occupations which are conducive to the spread of the disease or of those who live in places where the spread of the disease is feared, (4) tuberculous persons are prohibited from engaging in occupations which are from their nature conducive to the spread of the disease, (5) the authorities may take special precautions with respect to schools, hospitals, factories, restaurants, barbers' shops and similar places. They may also restrict or prohibit the use of unhealthy buildings and extend financial aid to patients who enter a sanatorium and on that account have lost their means of livelihood.

The law provides that all cities with a population of not less than 50,000 must establish sanatoria for admitting indigent patients. The national treasury allows grants to such cities to the extent of one-half of the total initial cost as well as one-fourth of the recurring expenditure. Already eight cities have sanatoria and the others are completing preparations for the same. Sanatoria and tuberculosis hospitals have also been established by the Fubushima prefectural authorities, the Salvation Army, the Japan Red Cross Society, the Saiseikai, a philanthropic organization endowed by the Imperial Household, and other private bodies. The aggregate number of beds in all these institutions is about 3,000. The Japan Association for the Prevention of Tuberculosis and the Japan White Cross Society are also doing excellent work in the prevention of disease. The latter society was the first in Japan to open a permanent open-air school for weak children. All the above organizations have formed a union and a federate conference is held annually.

Education propaganda is extensively carried on by the Government and the various associations with literature, cinema and flying machine shows, to give the public sound knowledge concerning the disease.

In 1924 the prefectural Governments spent 107,172 yens for preventive work exclusive of the expenditure on sanatoria.

Leprosy. — Leprosy was considered as a sort of punishment by Buddha. Buddhism being deeply rooted in the national mind the patient was despised by neighbours and his blood relatives were avoided for marriage or adoption. Consequently the patients in concern for their relatives would secretly leave their homes and wander from place to place only to perish unknown. Thus the danger of spreading infection was great and to meet this situation the Law for the Prevention of Leprosy was promulgated in 1907 and in pursuance of that law leper asylums have been established in the various provinces.

An investigation made in 1919 showed that there were 16,261 lepers or 0.25 per 10,000 of population.

In the medical examination of conscripts the number of lepers for every thousand youths was 1.28 in 1899. Since then the figure has gradually decreased to 0.59 in 1921. The death-rate from this disease was 5.10 in 1899 and 1.69 in 1922 per 100,000 of population.

Preventive measures.—The whole country is divided into five districts and in each district there is a leper hospital. In addition to these there are six private asylums. Those that have means are allowed to be isolated in their own homes and they must follow the directions of the authorities regarding disinfection, isolation, separate feeding arrangements and other measures against the spread of infection. We visited the Leprosy Asylum in Tokyo. Here the patients are completely isolated from the exterior. The asylum is provided with a chapel, entertainment hall, tennis grounds, library, radio set, magic-lantern and photographs. They have their own paper and their own coin. Those that can work are employed on the following occupations: agriculture, as general servant, carpentering, plastering, laundry, sewing, nursing, milking the poultry, pigs, etc. For this work they receive pay in the asylum money and are able to buy luxuries sold in the premises to supplement their food.

Pure chaulmoogra oil has been found to be the most effective in treatment. For sterilization of the patients vasectomy is practised. Formerly the patients dreading the life-long isolation used to escape in large numbers from the various asylums. With the hope of cure held out under the present treatment and the practice adopted of discharging those who are tolerably cured and free from fear of further infection, not only escapes are few but the demand for admittance from new patients has increased. It is believed that the incidence of the disease has been reduced to one-quarter since the introduction of the preventive measures.

The Government is increasing the accommodation in the provincial asylums and has plans to provide an additional asylum. It also recognizes the necessity of providing separate accommodation for well-to-do patients.

Beri-Beri.—This disease has shown an increased prevalence during the years 1912 to 1922. The death-rate is considerably higher in males than in females and in cities than in rural areas.

Preventive measures include the diffusion of general sanitary knowledge, improved facilities for treatment, improvement of the national dietary, etc. Improved diet has been responsible for the decline of this disease in the jails, army and navy. The Institute of Nutrition recommends 70 per cent. polished rice which has a better taste than the unpolished rice.

Malaria.—The incidence of this disease is not high. It occurs chiefly in low-lying damp districts and shady woodlands which favour the growth of *anopheles sinensis* the chief carrier of the malarial parasite in Japan.

Trachoma.—The prevalence of this disease is fairly high in Japan. Exact data are not available as to the amount of blindness caused by it. Investigations in the various provinces show that it varies from 1.2 per cent. in Chiba province to 20 per cent. in Nagasaki.

Preventive measures.—The law provides that the patient must carry out the directions of physicians for exclusive use of wash basins, towels, disposal of discharges and other measures to prevent the spread of infection. Measures are also prescribed for schools and other places of gatherings. Trachoma dispensaries are established all over the country, both permanent and temporary. The Association for the

Prevention of Trachoma is doing very useful work in helping the authorities in systematic propaganda against the disease.

Hookworm is most prevalent in Saitama province where 54.11 per cent. of those examined were found infected, whereas the average for other agricultural villages is 18 per cent.

The use of crude nightsoil in the fields is the chief cause. Experiments in the field laboratory at Omayia are being carried on to find a satisfactory solution of this problem.

Venereal diseases.—From the examination of conscripts the rate of venereal diseases was found to be 26.57 per 1,000 in 1914 and this has gradually declined to 15.23 in 1925.

The preventive measures taken are (1) all prostitutes must be registered and licensed and reside in specified quarters, (2) they must submit to medical examination once a week and those found suffering from venereal disease are sent to lock hospital and cannot resume occupation till completely cured. The number of lock hospitals in the country is 162 with 5,001 beds besides 75 smaller institutions. Steps are being taken to frame laws and regulations applicable to the general public. Free treatment is given to those in needy circumstances.

The Japan Association for the Prevention of Venereal Diseases has been very active in organising a campaign against the disease.

Rural sanitation.—63 per cent. of the total population of Japan live in rural areas and of this 48 per cent. are concerned with agriculture.

Housing.—The houses are generally one storied and built of wood, 50 per cent. of the roofs are thatched with straw while the others have tiles and straw or only tiles. An investigation carried out in 3,316 houses showed that 85.5 per cent. of houses face south, 31.5 per cent. have good and 46.3 per cent. moderate light and ventilation. The *drainage* is generally defective, only 30 per cent. of the houses having any arrangements. According to law all houses must be thoroughly cleaned twice a year.

Water-supply is from wells. Investigation carried out in nine villages showed that 45.5 per cent. of the wells were chemically wholesome. The wells are regularly inspected and the provinces have their own regulation for the improvement of water-supply and are making attempts to encourage newly bored wells by monetary grants.

Food.—75 per cent. eat rice and barley, rice alone 23.6 per cent. Accessory food are fish and vegetables. Meat is rarely consumed.

Conservancy.—Each house in the village has its own privy and the fields are not utilised for calls of nature as in India. The privy consists of a large impervious receptacle. This receptacle is never cleaned but the contents are periodically ladled out by spoon and removed by the contractor. This nightsoil is used in the fields without any previous trenching. There are two defects in this system: (a) the privy fouls the atmosphere of the house as the receptacle is never cleaned, (b) the use of crude nightsoil in the fields is responsible for the fly nuisance in the summer and the spread of intestinal disease.

The matter is receiving the attention of the authorities. At Omayia village a field laboratory is established. It is at present engaged in investigation as to whether a septic tank attached to the privy pit cannot destroy all the harmful parasites. The experiment, if successful,

will solve the defect (b). But the privy will continue to be a nuisance unless arrangements are made for its regular cleaning.

Rubbish.—Rubbish is used either as fertilizer or for reclaiming foreshore, river and swampy lands or utilised as food for fowls and pigs. In a few cases it is burnt in the open.

Crematoria.—The dead are either cremated in crematoria or buried away from habitation and source of water-supply.

Streets.—The householders clean and water the street in front of their houses. This clean habit saves the authorities much expenditure in street cleaning.

Urban sanitation.—The expansion of cities has been remarkable due to the phenomenal development of industries since the world war. Modern town-planning regulations have been applied to six principal cities and 26 smaller towns. After the great earthquake special planning law was enacted for Tokyo and Yokohama for reconstruction of the damaged portion.

The city-building law contains all the modern rules for building roads, factories, warehouses, etc. Separate sites are allotted for residential, business and industrial purposes

In Tokyo for the improvement of roads and streets 10 per cent. of the land is taken from the owners concerned without compensation. Any extra land required is paid for.

Parks are being provided in the large cities. In Tokyo there are several parks and there is a proposal to provide 105 small parks all over the city in connexion with primary schools.

Water-supply.—The majority of the cities and towns possess water-works, mostly working on the slow filtration system. No water-works can be constructed without the approval of the Home Minister. The grants from Government for water-works purposes average 1,600,000 yen per year. All towns possessing water-works have laboratories for analysis of water. Well water is also used and this undergoes analysis at regular intervals. Boring of new wells is encouraged by monetary grants.

Conservancy.—Only 20 cities and three towns are provided with sewers. The State encourages the construction of sewers by making grants from the national treasury amounting to one-third the cost of construction. I expect a great development in this direction in the near future. The privies in the unsewered parts consist of the same pattern as in the rural areas and are dealt with in the same way.

Public latrines and urinals.—Unlike India all houses possess privies and consequently the public latrines are only needed for the road traffic. In Tokyo there are 150 water-closet seats. Some of these are directly connected to the sewers and the nightsoil of the others is taken to the pail dépôts on the sewers.

In unsewered areas the nightsoil is either removed departmentally or by a contractor. The nightsoil which is taken to the fields is utilized in the crude state for manure as in the rural areas. In Tokyo the ~~same~~ after purification is allowed to run into the river. The large ~~installed~~ for this purpose is so effective that the effluent is purer ~~per~~ water.

Roads and streets.—In olden times it was the duty of the householder to clean and water the streets in front of his house as in rural areas. In some cities this practice still continues, but in others only the sidewalk is done.

Rubbish.—The occupiers collect their rubbish in small wooden receptacles and the Japanese are so orderly that seldom any rubbish is seen lying in the streets or bye-lanes. The rubbish is disposed of by burning or other methods not injurious to health. In Tokyo a large disinfector is provided. Here the rubbish is shifted, disinfected, dried and compressed into small bundles for disposal as fuel. Inflammable material, such as wood, charcoal, etc., is burnt to make the hot air for the purpose of drying the rest of the rubbish. The metals are disposed of differently and the sand and earth are used for reclamation of low land.

Conservancy staff.—There is no standard fixed but the staff is engaged according to necessity.

Food supply.—Regulations for the control of adulteration of foods, drinks and drugs are in force all over the country. A minor (under 20 years) is prohibited by law from taking alcoholic drinks and traders are forbidden to sell alcohol to minors. The staple food is the same as in rural areas. Meat is more consumed in urban areas than in rural.

Milk is not much consumed but the demand is increasing and with it the dairies. Rules for control of milk supply are under revision. We saw two dairies during our tour. They were models of perfection.

Meat hygiene.—The regulations for the control of meat supply are on modern lines. Tuberculosis is rare in Japan cattle but is fairly common in the foreign breed. The law provides for the examination of milch cows and for the destruction of the affected and isolation of the suspicious animals.

For prevention of rinder pest, cattle imported from China and Siberia are slaughtered immediately after quarantine in the slaughter-house next to the quarantine station and the places and things coming in contact with them as well as the viscera, blood, skin, bones, horns, hoofs, etc., are strictly disinfected.

Domestic hygiene.—The floor of most of the houses is matted and the mat is exposed to the sun once or twice a year. Being of porous material it would be expected to harbour a large amount of dust and vermin in the proper quarters. I was told that this was not the case as the Japanese are clean in their habits. Still it would be worth while to investigate the quality of the dust analysed month by month during the interval of annual or six monthly cleaning.

Graveyards.—In Tokyo, burials inside the city are prohibited with the exception of a few connected with temples. Cremation in electric crematoria is the general method of disposal of the dead.

Medical relief.—In 1923 the number of practitioners per every 10,000 inhabitants was 12.81 in urban and 6 in rural areas.

All doctors must hold a registrable qualification. The number of hospitals in cities is 788, in rural areas, 752 with 33,189 and 23,318 beds respectively.

Hospitals for infectious diseases.—(a) Hospitals 1,482 with 25,087 beds, (b) isolation wards 8,136 with 74,910 beds, (c) private hospitals 715 in cities with 27,075 beds and 714 in rural areas with 21,809 beds.

Dental surgeons.—The number per every 10,000 inhabitants is 3.41 and 1.03 in urban and rural areas respectively.

Midwives must be registered and hold the necessary qualification prescribed under the rules and should not be less than 20 years of age.

Nurses must be qualified and cannot practice without licence.

Registration of vital statistics.—These are compiled in the Bureau of Statistics, Tokyo. The information is monthly collected from the local register authorities, i.e. from the Mayors, town and village headmen. Annual statistics are compiled and tabulated on births, deaths, still births, marriages, divorce, abandoned infants, and disappearances.

Thus a complete family census is maintained.

The population of Japan proper is 55,963,053.

The birth-rate in 1922 was 34.16 and death-rate 21.22 per 1,000 of population. The infant mortality rate is 166 per 1,000 births or 25 per cent. of the total number of deaths. Still births, etc., are 2.29 per 1,000 of population. Illegitimate births in 1922 amounted to 8 per cent. of the total births and to 23 per cent. of the still births. The number of deaths incidental to pregnancy and delivery during the ten-year period 1913—1922 was 11.6 per 100 of female deaths and has remained relatively constant in spite of the increase in the number of trained midwives.

The infant mortality rate has also not shown any signs of decrease. The high infant mortality-rate as compared to European countries, is in my opinion due chiefly to the defective arrangements in the collection and disposal of nightsoil.

To reduce the maternal and the infant mortality, various measures are being adopted on the lines of European countries, such as establishment of maternity homes, child welfare centres, milk stations, etc., and will receive more attention in the future.

School hygiene.—Education is compulsory throughout Japan. Physicians are engaged to attend to the medical inspection and health supervision of schools. Some schools employ nurses to assist physicians. School physicians, nurses and teachers concerned are given a special course of training in school hygiene.

Hygiene is taught in schools. At intermediate schools a course in hygiene is included in the study of natural history. Health days and weeks are celebrated to promote the knowledge of hygiene.

The Education Code provides for sanitation and equipment of schools. Even the primary schools in Japan are well equipped. Tuberculous children are not admitted while there are schools all over the country for defective, blind, deaf and dumb. Physical exercises form a regular course and three hours per week is a compulsory course for every scholar.

In schools above the primary the teachers of physical training must be graduates of the Physical College.

Athletic meetings are held annually.

Industrial hygiene.—This is organized by the Bureau of Social Work. (1) The minimum age-limit for workers is 14 years. Occasionally permission is granted to youths over 12 years. (2) Maximum working hours for females and males (under 16 years of age) is 11 hours inclusive of one hour for rest. (3) Females and males (below 16 years of age) are forbidden to work between 10 p.m. and 5 a.m. (4) They are also debarred from works of dangerous character.

There are provisions for sick persons, maternity medical relief, and prevention of epidemics.

Boarding and apartment houses are provided for the workers near the factories in some cases.

The factory regulations are applied to the mining industry even when there are less than ten men.

We visited the coal mine at Fushun near Mukden. Nice quarters were provided for the officials and men. The streets and buildings were beautifully laid out. A hospital was to be provided. Water was supplied from the river after purification. The sanitary condition of the kitchens was excellent and the miners looked very healthy.

In all mines as a rule apartment houses are provided for the workers near the mines. Every mine with 300 workers has a hospital. The Health Insurance Act provides for risks against sickness, accident, death and child birth.

There are mutual relief associations which ensure their members against accidents, illnesses not included in the provisions of the factory mining law. Members are also ensured against accidents not connected with their employment.

Korea.

This territory came under the protection of Japan in 1906. Formerly the sanitary equipment was extremely bad and medical relief entirely inadequate. Since the Protectorate régime the same sanitary organization as in Japan proper has been gradually introduced with immense benefit to the residents. Water-works have been established in all the chief towns. Charity hospitals have been provided even in the remote districts and qualified physicians engaged on circuit work in parts difficult of access. In Keijo, the capital of Korea, there is a large general hospital under the direction of Dr. Shiga on the same lines as the best hospitals in Japan. Here investigations are undertaken on all the important diseases prevalent in the Protectorate.

Education is being carried on on the same lines as in Japan proper and the schools provided are a great advance to the poor accommodation provided in the old Korean schools. Popular confidence in the hospitals is steadily growing stronger and consequently more hospitals are being added. Sanitary experts are attached to all the provinces with bacteriological and hygienic laboratories for detection of disease and for the control of foods, drinks and drugs.

The periodic cleaning of houses is enforced.

Quarantine stations are established at all the important seaports. Strict measures are also taken to prevent importation of cattle disease.

Kwantung Province and the Territory attached thereto (South Manchuria Railway Zone).

In this territory practically the same organization and all the rules and regulations in force in Japan proper, have been introduced.

Medical relief and sanitary equipment is adequate. In Mukden the railway zone adjoins the town of Mukden which belongs to China. The well equipped new railway hospital is open to all classes of people inside and outside the zone. This act of courtesy and liberality is well appreciated by the Chinese outside the zone. The railway zone is built on the modern town-planning scheme and offers a great contrast to the old Chinese town of Mukden.

In Dairen (another beautifully laid out town) a new hospital is being built with the most modern equipment and with a library, audience hall, and garden attached.

Many Chinese who do business in their own territory come and reside in the Japanese territory for the sake of health. It has been found by investigation that the Chinese who live in the Japanese territory enjoy better health than the Japanese themselves, due probably to the increase of acquired immunity derived from constant exposure to infection in their own country.

Remarks.—From the perusal of the report, the following conclusions can be drawn :—

- (1) That Japan is far ahead of India in medical relief and in the prevention of disease not for the absence of remedies in India but of the great difficulty in the application of the remedies due to the ignorance and prejudice of the people towards modern preventive methods and modern medical relief. In the United Provinces the first step in the prevention of disease, i.e. the isolation of an infectious case cannot be enforced except in the lodging houses.
- (2) That although conditions exist for fostering intestinal infection, the incidence of disease can be minimized by adequate preventive measures in the way of preventive vaccination, etc.
- (3) That co-operation of the people is necessary for the efficiency of the administration.
- (4) That compulsory education has been the means by which the measures taken by the executive authorities have been appreciated.
- (5) That in the prevention of disease both education and legislation are needed.
- (6) That hygiene forms a regular course of instruction in schools. In a backward province like the United Provinces it is essential that hygiene should be made a compulsory subject in the schools curriculum.
- (7) That in the Protectorate countries, the Japanese authorities have recognized from the first that sanitary and medical relief are the forerunners of the ultimate contentment and prosperity of the people under their charge.

- (8) That Japan devotes a large amount of money on laboratories for research and early detection of disease and that a large number of medical men are engaged on research simply for the sake of research and not for any remuneration.
- (9) That physicians must be graduates of the universities and practise western methods of medicine and no other systems like the Unani, Ayurvedic, etc., are permitted.

Miscellaneous.—During the interchange Dr. Ludwik Rajchman, the Director of the Health Section (League of Nations) gave a lecture before the Japanese branch of the League and explained the activity of the Health Section. It was a surprise to many of us that these activities embraced such a vast number of investigations besides the various conferences and study tours held under the auspices of the League.

In my opinion annually a summary of these activities in a non-technical language should be published broadcast so that the world may realize the valuable work that is being carried on.

From the tour programme it will be seen that we had to go through a crowded list of engagements. We simply had to rush through many important institutions which we would have liked to have seen in detail but this could not be helped as the tour was for a limited period.

The social functions held on our behalf testify to the overwhelming hospitality and courtesy which we enjoyed everywhere throughout the Japanese Empire.

The elaborate arrangements made for our tour and the preparation of literature must have thrown a severe strain on Dr. Yamada, the Director of the Sanitary Bureau, Dr. Uchino, the Senior Medical Officer, and their officials who have placed us under a deep obligation.

I am also deeply grateful to the League of Nations (Health Section) for giving me the opportunity of studying such a big developed country as Japan.

I have the honour to be,

SIR,

Your most obedient servant,

A. SOUSA,

Assistant Director of Public Health, III Range.

APPENDIX Q.

(See page 11 *supra*.)

*Statement referred to in the answer to starred question No. 53 for
October 29, 1927.*

Number of members of Kanjar gangs arrested by the Special Dacoity Police.	Number of Kanjars at large.	Strength of Special Dacoity Police with special pay.	
		Total strength.	Special pay per mensem.
90	Approximately 41.	Four gazetted officers. Ten inspectors ... Fourteen sub-inspectors. Forty head constables. Two hundred and twenty naiks and constables.	Rs.
			Superintendent of police in charge ... 200
			Additional superintendent of police ... 150
			Deputy superintendents of police ... 100
			Inspectors ... 75
			Sub-inspectors ... 50
			Head constables ... 15
			Naiks and constables ... 10

APPENDIX R.

(See page 13 *supra*.)*Statement referred to in the answer to starred question No. 57 for October 29, 1927.*

Names of the improvement trusts.	Amount due.	Amount repaid.	Value of property according to market value.	Establishment charges --		Estimate of expenditure on all schemes passed by the trust on which work has not begun yet.	Schemes sent up by the trust in 1926-27 to the Government.	
				Up to 1923-24.	In 1926-27.		Numl or.	Kind.
	Rs.	Rs. a. p.	Rs.	Rs. a. p.	Rs. a. p.	Rs.		
Allahabad ..	15,59,858	72,851 13 11	18,99,695	8,08,315 5 11	47,275 0 0	10,00,274	1	A general improvement scheme.
Cawnpore ..	44,79,242	2,24,197 0 0	51,07,000	6,48,522 9 2	68,813 1 4	2,65,23,698	..	
Lucknow ..	12,12,500	1,38,947 0 0	20,00,000 (and an annual income of Rs. 82,500).	5,01,482 0 0	63,330 0 0	4,03,420	2	One was general improvement scheme and the other a street scheme.

APPENDIX S.

(See page 13 *supra*.)

Statement showing the approximate annual income derived by district boards from the sale of trees.

District board.	Annual income.			Remarks.
	Rs.	a.	p.	
Dehra Dun ...	Nil			In 1926-27.
Saharanpur ...	1,866	3	0	
Muzaffarnagar ...	30	0	0	
Meerut ...	4,826	3	0	
Bulandshahr ...	4,806	0	0	
Aligarh ...	2,306	0	0	
Muttra ...	Nil			Not known.
Agra ...	1,511	0	0	
Mainpuri ...	1,297	0	0	
Etah ...	1,500	0	0	
Bareilly ...	...		
Bijnor ...	2,400	0	0	
Budaun ...	2,591	0	0	In 1926-27.
Moradabad ...	489	10	0	In 1926-27.
Shahjahanpur ...	500	0	0	Average of last three years.
Pilibhit ...	Nil			
Farrukhabad ...	582	0	0	
Etawah ...	333	0	0	
Cawnpore ...	Nil			
Fatehpur ...	795	0	0	
Allahabad ...	753	12	0	In 1925-26. (Income is fluctuating).
Jhansi ...	204	8	0	Average of last three years.
Jalaun ...	84	3	0	In 1926-27.
Hamirpur ...	Nil			
Banda ...	Nil			
Benares ...	730	0	0	
Mirzapur ...	657	0	0	
Jaunpur ...	Nil			
Ghazipur ...	355	0	0	Average of last three years.
Ballia ...	1,995	0	0	
Gorakhpur ...	282	8	0	
Basti ...	Nil			
Azamgarh ...	310	1	0	
Naini Tal ...	102	8	0	
Almora ...	Nil			Average of last two years.
Garhwal ...	Nil			
Lucknow ...	...		
Unao ...	990	0	0	
Rae Bareilly ...	...		
Sitapur ...	321	0	0	
Hardoi ...	3,176	0	0	Average of last three years.
Kheri ...	...		
Fyzabad ...	3,244	0	0	
Gonda ...	258	0	0	
Bahraich ...	638	0	0	
Sultanpur ...	53	0	0	
Partabgarh ...	224	0	0	In 1926-27.
Bam Banki ...	473	0	0	

APPENDIX T.

(See page 15 *supra*.)

Statement referred to in the answer to parts (a) (b) and (c) of starred question No. 74 for the Council Meeting of October 29, 1927.

(a)	(b)	(c)
The number of Muslim constituencies for election to the Naini Tal district board.	The names of Muslim constituencies for election to the Naini Tal district board.	The number of voters in each Muslim constituency.
9	(1) Bhim Tal (2) Haldwani (3) Ramnagar (4) Kashipur (5) Jaspur (6) Bazpur (7) Kitcha (8) Sattarganj (9) Khatima 	28 89 47 68 66 64 86 43 2

APPENDIX U.

(See page 16 *supra*.)

Statement referred to in answer to starred question No. 75(a) for October 29, 1927.

Name of convict.	Educational qualifications so far as Government are able to ascertain them.
(1) Ram Prasad Bismil	... Has read up to the IX class.
(2) Rajendra Nath Lahiri	... Fifth year M.A. student in the Benares University.
(3) Roshan Singh	... Vernacular middle class examination.
(4) Ram Dulare Trivedi	... Ditto ditto.
(5) Jogesh Chandra Chatterji	... Has read up to the matriculation standard.
(6) Govind Charan Kar	... Has passed the "B" Final examination of the Dacca collegiate school.
(7) Banwari Lal	... Has read up to the IX standard.
(8) Sachchindra Nath Sanyal	... Has passed the First Arts examination.
(9) Bhupendra Nath Sanyal	... B.Sc. class student in the Allahabad University.
(10) Manmotha Nath Gupta	... B.A. class student in his second year.
(11) Vishnu Shanker Dublis	... Has studied up to the third year class for B.A.
(12) Ram Nath Pandey	... A student in the Hindu University at Benares.
(13) Prem Kishan Khanna	... Has passed the matriculation examination.
(14) Ram Kishan Khattri	... Was a student in Udasin Sanskrit Vidyalaya at Benares.
(15) Suresh Chandra Bhattacharya	Has read up to the first year class in the Hindu University at Benares.
(16) Raj Kumar Sinha	... A student of the third year B.Sc. class in Hindu University at Benares.
(17) Mukandi Lal	... No examination.
(18) Purnawesh Kumar Chatterji	Student in Kashi Vidyapith.

*Statement referred to in answer to starred question No. 75 for
October 29, 1927.*

Name of convict.	Dates of—		Name of jail in which confined.	Period of hunger-strike.
	Going on hunger-strike.	Ending the strike		
(1) Manmotha Nath Gupta..	7-4-'27	22-5-'27	} Naini central prison	45 days.
(2) Vishnu Saran Dublis ..	7-4-'27	22-5-'27		
(3) Prem Kishan Khanna ..	7-4-'27	23-4-'27	Dehra Dun district jail.	16 do.
(4) Ram Nath Pandey ..	7-4-'27	18-4-'27	Rae Bareilly district jail.	11 do.
(5) Jogesh Chandra Chatterji	7-4-'27	18-5-'27	} Fatehgarh central prison.	41 do.
(6) Ram Dulare Trivedi ..	7-4-'27	18-5-'27		
(7) Govind Charan Kar ..	7-4-'27	18-5-'27	} Bareilly central prison.	32 do.
(8) Mukandi Lal ..	7-4-'27	9-5-'27		
(9) Raj Kumar Sinha ..	7-4-'27	15-5-'27	} Agra central prison.	38 do.
(10) Ram Kishan Khattri ..	7-4-'27	9-5-'27		
(11) Suresh Chandra Bhattacharya.	7-4-'27	26-4-'27	} Did not go on hunger-strike.	19 do.
(12) Roshan Singh ..	7-4-'27	13-4-'27	Allahabad district jail.	
(13) Ram Prasad Bismil ..	7-4-'27	11-4-'27 (evening).	Gorakhpur district jail.	5 do.
(14) Purnawesh Kumar Chatterji.	..	..	Sitapur district jail	} Did not go on hunger-strike.
(15) Bhupendra Nath Sanyal	..	..	Fyzabad district jail.	
(16) Rajendra Nath Lahiri ..	..	..	Gonda district jail..	
(17) Banwari Lal.. ..	..	..	Lucknow central prison.	
(18) Sachchindra Nath Sanyal.	..	..	Ditto ..	} Did not go on hunger-strike.
(19) Sachchidu Nath Bakshi	..	..	Agra central prison	
(20) Ashfaqullah .. ..	..	..	Fyzabad district jail.	

APPENDIX V.

(See page 18 *supra*.)

Statement referred to in answer to starred question No. 76(d) for October 29, 1927.

Number of convicts.	Offence.	Term of imprisonment.
1	376/114 and 392, I. P. C.	Five years' rigorous imprisonment.
1	420/380/379/75, I. P. C.	Five years' and six months' rigorous imprisonment and Rs. 40 fine or two months' rigorous imprisonment.
1	460, I. P. C. ...	Five years' rigorous imprisonment.
3	377, I. P. C. ...	Two to nine months' simple imprisonment and one to eighteen months' rigorous imprisonment.
2	109, C. P. C. ...	One year's rigorous imprisonment each.
2	380/75, I. P. C.	One to three years' rigorous imprisonment and one to two years' and six months' rigorous imprisonment.
2	419/511, I. P. C.	Six months' and three months' rigorous imprisonment.
1	409, I. P. C. ...	Three years' rigorous imprisonment and Rs. 5,000 fine or one year's rigorous imprisonment.
1	307, I. P. C. ...	Ten years' rigorous imprisonment and Re. 1 fine or one day.
1	506, I. P. C. ...	Rupees 500 fine or one year's rigorous imprisonment.
1	376, I. P. C. ...	Seven years' rigorous imprisonment.
1	457, I. P. C. ...	Six months' rigorous imprisonment.

APPENDIX W.

*(See page 21 supra.)**Statement referred to in the answer to starred question No. 84 for
October 29, 1927.*

Name of examination.	Number of ladies who passed in 1926.	
	Hindus.	Muslims.
Admission	7	...
High School	16	7
Intermediate	8	3
B. A.	3	2
B Sc.	1	...
M. A. (Previous)	4	...
M. A. (Final)	3	...
LL. B. (Previous) ... ..	...	...
LL. B. (Final)	1	...
	43	12

APPENDIX X.

(See page 23 *supra*.)

Charge sheet referred to in answer to starred question No. 99(d) for October 29, 1927.

M. MUKHTAR AHMAD SIDDIQI—

The following charges of misconduct are framed against you :—

- (1) that on February 7, 1927, when tahsildar of Garotha, you left your camp at Aoni and visited Kohnia in Bihat estate returning on February 8, thus being absent from duty without permission for about half a day ;
- (2) that on February 10, you left your camp at Mahewa without permission and visited Jhansi via Mau railway station returning on February 11, thus being absent from duty without permission for one day ;
- (3) that on February 16, you left your camp at Pasrai travelling by road to Chirgaon whence you left the district by train returning to Ghuraiya on February 21,* thus being absent from duty without permission for* six days ;
- (4) that on March 3, you left your tahsil and visited Roorkee returning on March 7, thus being absent from duty without permission for four days ;
- (5) that on the three occasions enumerated in charges (1), (2), and (3) you abetted the absence from duty without permission of Liaquat Husain, judicial moharrir, Garotha ;
- (6) that in respect of February 7, 8, 10, 11, 16, 17, 18, 19†, 20, and 21† you submitted a false tour diary in that you have on each date shown yourself present in your tahsil and on duty and more specially, you have declared that on February 18 and 19 you did court work, when in reality you were out of the district ;
- (7) that holding the post of tahsildar you borrowed Rs. 200 from Seth Kanhaiya Lal of Garotha and Rs. 200 from the tahsil treasurer, Garotha ; and
- (8) that on January 15, 1927, you submitted a false and fraudulent travelling allowance bill in respect of—
 - (a) a journey said to have been made on December 18, 1926, from Garotha to Gursarai and a halt at Gursarai on December 19, 1926, and
 - (b) a journey said to have been made from Garotha to Sutta and Asta on January 8, 1927, followed by a halt on January 9, 1927.

Your explanation of these charges will be considered by me in my court room on April 19, 1927, at 2 p. m.

12-4-1927.

H. J. FRAMPTON,
Collector.

COPY to M. Mukhtar Ahmad Siddiqi for compliance.

12-4-1927.

H. J. FRAMPTON,
Collector.

*Amended for February "20" and "five".

H. J. FRAMPTON.

19-4-1927.

†For February 19, 20, and 21, read February 19 and 20.

H. J. FRAMPTON.

19-4-1927.

APPENDIX Y.

(See page 25 *supra*.)*Statement referred to in the answer to starred question No. 110 of October 29, 1927.*

			1927.	1918.
Motor cars and taxis	...	...	473	41
Licenses	...	...	30	...
Buses	...	...	100	...
Total	...	...	603	41

APPENDIX Z.

(See page 25 *supra*.)*Statement referred to in the answer to starred question No. 111 for October 29, 1927.*

	Garhwal.	Naini Tal.	Almora.
Number of guns confiscated under section 14.	14	15	18
Number of guns surrendered under section 16.	188	138	180

APPENDIX AA.

(See page 26 *supra*.)*Statement referred to in the answer to starred question No. 113 for October 29, 1927.*

	Garhwal.	Naini Tal.	Almora.
Number of confiscated guns still with district authorities.	3	2	5
Approximate value	Rs. 12	Rs. 30	Rs. 20
Number of surrendered guns still with district authorities.	64	21	24
Approximate value	Rs. 256	Rs. 125	Rs. 180

APPENDIX BB.

(See page 27 supra.)

Statement showing the numbers of revenue, criminal, and civil suits decided by the sub-divisional officers of the Garhwal district during the last five years until the end of May, 1927.

Year.	Name of courts of sub-divisional officers in Garhwal district.											
	Chamoli.				Barahayun.				Lansdowne.			
	Revenue.	Criminal.	Civil.	Total.	Revenue.	Criminal.	Civil.	Total.	Revenue.	Criminal.	Civil.	Total.
1	2	3	4	5	2	3	4	5	2	3	4	5
1922	82	104	973	1,159	48	102	354	504	94	112	350	556
1923	67	110	1,090	1,267	48	84	347	479	135	95	639	869
1924	78	241	973	1,287	56	125	200	381	134	118	438	690
1925	70	140	994	1,204	94	150	455	699	155	119	451	725
1926	77	80	1,018	1,175	115	187	450	702	142	90	452	684
1927 up to May 31.	32	70	374	476	52	210	147	409	47	66	159	272
Total	401	745	5,422	6,568	413	808	1,953	3,174	707	600	2,459	3,796

Statement showing the numbers of revenue, criminal, and civil suits decided by the sub-divisional officers of the Almora district during the last five years until the end of May, 1927.

Sub-division.	Year.	Total number of cases decided.			Remarks.
		Civil.	Revenue.	Criminal.	
Baramandal	1922	286	84	185	
	1923	389	82	109	
	1924	448	105	118	
	1925	533	116	98	
	1926	395	186	247	
Pali	1927	170	90	88	Up to May 31, 1927.
	1922	427	40	273	
	1923	358	34	230	
	1924	629	47	251	
	1925	633	56	264	
	1926	604	39	323	
	1927	186	36	57	
Lohaghat..	1922	112	19	138	
	1923	80	8	126	
	1924	102	13	172	
	1925	103	15	140	
	1926	123	13	97	
	1927	34	12	32	
Pithoragarh	1922	238	26	134	Up to May 31, 1927.
	1923	184	17	114	
	1924	135	11	101	
	1925	307	17	124	
	1926	241	33	125	
	1927	106	14	53	

Statement showing the numbers of revenue, criminal, and civil suits decided by the sub-divisional officers of the Naini Tal district during the last five years until the end of May, 1927.

Name of sub-division.	Nature of suits or cases.	Year.					Ending May, 1927.
		1922.	1923.	1924.	1925.	1926.	
Naini Tal	Revenue ..	12	6	7	11	19	2
	Criminal ..	161	235	148	106	105	62
	Civil ..	276	314	204	338	362	127
Tara and Bhabar	Revenue ..	6	10	15	23	15	7
	Criminal ..	245	224	202	229	312	81
	Civil ..	376	369	398	366	355	128
Kashipur	Revenue ..	126	98	98	13	88	45
	Criminal ..	213	219	192	185	176	92
	Civil ..	363	36	469	562	532	249

APPENDIX CC.

(See page 27 *supra*.)*Statement referred to in answer to starred question No. 117 for October 29, 1927*

Year.	Receipts.					Expenditure.						Remarks.			
	Cash balance of last year.	Collec-tions on account of current demand.	Collec-tions on account of arrears demand.	Other receipts.	Total.	Govern-ment demand.	Manage-ment.	Main-tenance and edu-cation of wards.	Pay-ment of debts.	Im-prove-ment.	In-vest-ments.		Mis-cella-neous.	Total.	Cash balance at end of year.
1911-12..	..	5,348	443	798	6,589	825	328	800	..	92	..	186	1,676	4,913	First year of management.
1912-13..	4,913	11,809	2,191	*1,08,415	1,17,415	2,219	600	1,200	1,13,982	126	..	503	1,18,580	3,798	*Rupees 95,778 from sale of property.
1918-14..	3,798	9,642	732	4,911	15,285	1,412	1,020	1,266	4,318	2,103	..	1,106	11,225	7,858	†Amended balance Rupees 70,000 from loan.
1914-15..	†7,861	8,009	977	†71,511	80,497	1,412	897	1,592	80,330	191	..	629	85,051	3,307	†Rupees 13,100 from sale.
1915-16..	3,307	8,248	1,228	948	10,724	1,648	851	1,694	6,888	448	..	822	12,316	1,715	
1916-17..	1,715	8,162	1,768	704	10,631	1,694	818	2,309	6,000	146	..	239	11,206	1,143	
1917-18..	1,143	8,789	1,443	467	10,699	1,694	835	1,638	6,000	487	..	276	10,980	912	
1918-19..	912	8,205	1,974	†13,860	24,039	1,694	938	1,464	12,656	925	..	220	17,907	7,044	
1919-20..	7,044	9,156	1,401	946	11,503	1,694	1,010	5,477	6,000	300	..	171	14,652	3,895	
1920-21..	3,895	8,531	547	246	9,324	1,694	1,222	2,074	6,000	231	..	131	11,332	1,867	
1921-22..	1,867	7,773	1,625	140	9,338	1,694	1,310	1,966	6,000	119	..	110	11,199	6	
1922-23..	6	9,901	3,027	190	13,121	1,694	1,277	1,995	6,003	1,496	..	219	12,683	444	
1923-24..	444	9,588	1,813	494	11,345	1,694	1,029	2,090	6,075	588	..	132	11,608	181	
1924-25..	181	9,130	1,818	923	11,871	1,694	1,683	2,403	728	706	..	353	7,567	4,485	
1925-26..	4,485	10,665	1,797	879	13,341	1,694	1,205	2,164	11,547	590	..	454	17,594	232	

APPENDIX DD.

*(See page 27 supra.)***Statement referred to in answer to starred question No. 118 for
October 29, 1927.***List of ziledars who have served the Sahaspur estate, since
it is under the Court of Wards in this district.*

Name of the ziledar.	Date of appointment.	Date of removal.
(1) Munshi Nathu Khan ..	June 6, 1912 ..	August 1, 1918.
(2) Babu Ram Nath ..	August 2, 1918 ..	September 15, 1918.
(3) Munshi Gokal Prasad ..	September 16, 1918 ..	July 12, 1920.
(4) Babu Madan Mohan Krashna, naib-tahsildar.	July 13, 1920 ..	July 24, 1920.
(5) Munshi Perms Nand ..	July 25, 1920 ..	April 3, 1921.
(6) Munshi Rahim Bux ..	April 4, 1921 ..	November 21, 1921.
(7) Munshi Ajudhia Prasad ..	December 1, 1921 ..	December 31, 1921.
(8) Munshi Ram Chandra ..	January 1, 1922 ..	July 8, 1922.
(9) Munshi Ajudhia Prasad ..	July 9, 1922 ..	September 9, 1922.
(10) Munshi Gokal Prasad ..	September 10, 1922 ..	June 5, 1924.
(11) Chaudhri Jawahir Singh (honorary).	June 6, 1924 ..	August 31, 1924.
(12) Munshi Gokal Prasad ..	September 1, 1924 ..	December 31, 1924.
(13) Chaudhri Jawahir Singh, (ward).	January 1, 1925 ..	..

APPENDIX EE.

(See page 32 *supra*.)

(See starred question No. 132 of October 29, 1927.)

Statement showing number of cases decided during the calendar year 1926 by the following benches of honorary magistrates.

District.	Name of bench.	Number of cases decided.	Remarks.
Cawnpore ..	Municipal bench ..	7,104	
	Cantonment bench ..	572	
Benares ..	Benares bench ..	3,712	
	City bench ..	3,865	
	Tahsil bench ..	51	
Lucknow ..	Kakori bench ..	105	
	Cantonment bench ..	488	
	Malihabad bench ..	19	
	City bench ..	6,246	
Allahabad ..	Civil bench ..	1,363	
	Puran Mian-ka-bench ..	5	
	Magh mela bench ..	5	
	Agra bench ..	1,452	
Agra ..	Tundla bench ..	103	
	Firozabad bench ..	5	

(See starred question No. 133 of October 29, 1927.)

Statement showing number of cases pending in the following courts of honorary magistrates and benches.

District.	On January 1, 1926.		Total.	On January 1, 1927.		Total.	Remarks.
	Benches.	Sitting singly.		Benches.	Sitting singly.		
Cawnpore ..	172	15	187	1,615	10	1,625	
Benares ..	16	46	62	5	34	39	
Lucknow ..	12	42	54	26	22	48	
Allahabad ..	27	52	79	12	48	60	
Agra ..	11	16	27	7	12	19	

APPENDIX FF.

(See page 34 *supra*).Statement referred to in the answer to starred question No. 138
(a) and (b) for October 29, 1927.

(a) Meerut division	...	...	...	1,482
Agra division	...	...	...	979
Rohilkhand division	...	...	...	1,050
Allahabad	...	...	...	1,167
Jhansi	...	...	...	232
Benares	...	...	...	1,910
Gorakhpur	...	...	...	2,759
Lucknow	...	...	...	476
Fyzabad	...	...	...	1,245

(b) Figures up to June 30, 1927, are given—

	Total appeals.	Appeals under Act III of 1926.
Meerut division	902	201
Agra division	731	193
Rohilkhand division	456	175
Allahabad	558	136
Jhansi	161	88
Benares	1,106	175
Gorakhpur	1,377	343
Lucknow	477	135
Fyzabad	866	242

APPENDIX GG.

(See page 39 *supra*.)*Sub-Registrars appointed by Hon'ble Minister.*

Name of candidate.	Qualification.
Saiyid Asad Ali	S.L.C.
Kunwar Latafat Ali Khan	S.L.C.
Narendra Nath Vyas	S.L.C.
Moti Lal Jaini	B.A., LL.B.
Sayed Jawad Abbas	Matriculation.
L. Michael	Senior Local of Cambridge University.
Avadesh Narayan Singh	B.A.
Lachman Babu	High School.
Qazi Akhtar Hussain Ansari	High School.

Sub-Registrars selected by the Committee,

M. Muhammad Mujaib-ullah Abdul Khairi	B.Sc.
M. Inamul Haq	B.A.
Babu Asurari Chandra Gupta	B.Sc.
Pandit Vinayak Ram Nagar	B.A., LL.B.
Babu Kedar Nath Tondon	S. L. C.
Babu Shyam Narayan Pradan	M.A., LL.B.
Babu Radha Mohan Bhatia	B.Sc.
Babu Ram Chandra Singh	B.A.
Babu Data Ram Gupta	B.A.

APPENDIX HH.

(See page 41 *supra*.)

Statement showing the information asked for in paragraph (a) of starred Council question No. 152 for October 29, 1927.

Name of institution.	Financial year.	Recurring grant.		Non-recurring grant.			Remarks.
		Recurring grant.	Manago- ment's contribution.	Nature of grant.	Amount of grant.	Manago- ment's contribution.	
1. Sanatan Dharm College, Cawn- pore.	1924-25	Rs. 28,435	Rs. 13,385	Building grant ..	Rs. 40,000	Rs 40,000	
	1925-26	27,168	17,418	Furniture grant..	3,124	3,124	
	1926-27	25,482	10,000	Building grant ..	34,663	34,666	
	1927-28	18,768	10,000	..	..	..
	1924-25	4,800	3,600	..	..	..
2. Sanatan Dharm School, Cawn- pore.	1925-26	4,800	3,600	Furniture grant ..	..	..
	1926-27	5,400	4,000	Ditto ..	316	316	
	1927-28	6,000	4,000	Science apparatus	1,000	1,000	
3. D. A. V. College, Cawnpore	1924-25	17,000	8,198	Manual training tools	529	529	
	1925-26	27,260	9,260	..	925	925	
	1926-27	28,248	11,480	Building grant ..	..	..
	1927-28	30,910	10,450	Ditto ..	12,000	12,000	
4. D. A. V. School, Cawnpore	1924-25	7,500	780	Equipment grant..	63,197	63,197	
	1925-26	7,500	1,230	Building grant ..	3,850	3,850	
	1926-27	8,400	1,550	Building grant ..	45,634	45,634	
	1927-28	8,268	1,550	Furniture grant ..	2,515	2,515	
5. Haleem Muslim School, Cawn- pore.	1924-25	10,008	4,475	Science apparatus	..	..
	1925-26	10,008	5,916	Ditto ..	340	340	
	1926-27	10,008	5,881	..	122	122	
	1927-28	12,000	5,881	Books	..	..
				Science apparatus	115	115	
				..	1,500	1,500	
				Furniture grant ..	..	..
				..	528	527	

APPENDIX II.

(See page 42 *supra*.)

Statement referred to in answer to starred Council question No. 154 for October 29, 1927, asked by PANDIT GOVIND BALLABH PANT SAHIB.

Department.	Name of report.	Date of publication.	Remarks.
Revenue (A)	Court of Wards report ..	July 13, 1927.	
	<i>Government estates reports.</i>		
	(1) Kumaun Soldiers settlement estates, Kumaun, Almora.	May 23, 1927.	
	(2) Tarai and Bhabar Government estates, Naini Tal.	Ditto.	
	(3) Garhwal Bhabar Government estates.	Ditto.	
	(4) Stone Mahal, Mirzapur ..	Ditto.	
	(5) Government estates under the control of Board of Revenue.	Ditto.	
Revenue (B)	Revenue Administration ..	September 20, 1927.	
General Administration	General Administration Report ..	March 31, 1927.	
Medical ..	Report of the Civil Hospitals and Dispensaries.	June 4, 1927.	
Judicial (Criminal) ..	Report of Administration of Criminal Justice, Agra.	October 22, 1926.	
	Report of Administration of Criminal Justice, Oudh.	September 10, 1926.	
	Report of Chemical Examiner ..	March 10, 1926.	
	Report on condition and management of jails.	May 1, 1926.	
Judicial (Civil)	Civil Justice report, Agra..	October 22, 1926.	
	Ditto Oudh ..	September 10, 1926.	
	Ditto Kumaun ..	June 4, 1926.	
	Report on working of Government Press, 1925-26.	December 8, 1926.	
Police ..	Police Administration Report ..	September 2, 1926.	
	Criminal Tribes Report ..	June 10, 1926.	
Local Self-Government	Government Railway Police Report	July 20, 1926.	
	Triennial Report on the working of the Registration department, (1922-23, 1923-24, and 1924-25).	July 23, 1926.	
	Report on the working of District Boards.	August 3, 1927.	
Municipal	Report on Municipal Administration and Finance in United Provinces.	May 26, 1927.	
Finance (C)	Report on the working of the Local Audit department.	February 18, 1927.	
	Report on the Administration of Stamp revenue.	November 3, 1926.	
Agriculture	Report on the Administration of the department of Agriculture.	February 3, 1927.	
	Season and Crop Report of the United Provinces.	September 22, 1926.	
	Report on the working and the Administration of the United Provinces Government Gardens.	February 10, 1927.	
	Report on the Agricultural stations of the North-Eastern circle.	November 12, 1926.	

Statement referred to in answer to starred Council question No. 154 for October 29, 1927, asked by PANDIT GOVIND BALLABH PANT SAHIB.

Department.	Name of report.	Date of publication.	Remarks.
	Report on the Agricultural stations of the Western circle.	November 9, 1926.	
	Report on the Agricultural stations for Central circle.	November 4, 1926.	
	Report on the Agricultural stations for Rohilkhand circle.	January 15, 1927.	
	Combined report on the Experimental stations in the Eastern circle.	December 30, 1926.	
Co-operative ..	Report on the working of the Co-operative Societies.	March 16, 1927.	
Excise ..	Report on the Excise Administration.	December 27, 1926.	
Forest ..	Forest Administration Report ..	November 30, 1926.	
Education ..	Annual report on Public Instruction.	Members of the Legislative Council were supplied with copies of the report on February 9, 1927, and the editors of newspapers on March 16, 1927.	
Public Health ..	Triennial report of the Vaccination department.	July 5, 1926.	
	Report of the Director of Public Health.	June 1, 1927.	
Industries..	Industries Report	January 21, 1927.	
	Veterinary Report	June 29, 1926.	
	Factories Report	July 25, 1926.	
Public Works department, Buildings and Roads branch.	The Administration Report of the Public Works department, Buildings and Roads branch.	December 1, 1926.	
Public Works department, Irrigation branch.	Irrigation Branch Administration Report.	September 24, 1927.	

APPENDIX JJ.

(See page 45 *supra*.)

The statement referred to in the answer to starred question No. 163 for October 29, 1927.

Name of local body.	Grant.	Loan.
<i>Allahabad—</i>	Rs.	Rs.
(a) Municipal board	3,71,550	46,200
(b) Improvement trust	7,30,500	15,69,000
<i>Lucknow—</i>		
(a) Municipal board	3,92,218	4,00,000
(b) Improvement trust	23,73,115	10,46,000
<i>Cawnpore—</i>		
(a) Municipal board ... ..	...	..
(b) Improvement trust	3,79,018	36,50,000
<i>Benares—</i>		
Municipal board	30,353	...

APPENDIX KK.

(See page 46 *supra*.)

Statement of grants and loans given by Government to the municipalities of Lucknow, Benares, Cawnpore, and Allahabad for certain works since 1916 called for in starred question No. 164 for October 29 1927.

Name of municipality.	Year.	Roads. (new construction).		Roads. (repairs).		Drainage.		Water-works.		Public gardens.		Sanitary schemes.	
		Loan.	Grant.	Loan.	Grant.	Loan.	Grant.	Loan.	Grant.	Loan.	Grant.	Loan.	Grant.
Lucknow ..	1916-17 to 1926-27	Rs. 4,00,000	Rs. 2,90,767	Rs. Nil	Rs. Nil	Rs. 70,000	Rs. 5,24,458	Rs. 21,53,700	Rs. 12,72,527	Rs. Nil	Rs. Nil	Rs. 2,95,000	Rs. 8,91,608
Benares ..	"	Nil	Nil	"	"	Nil	91,590	1,66,970	2,66,166	"	"	Nil	94,352
Cawnpore ..	"	"	"	"	"	"	4,75,500	Nil	Nil	"	"	"	Nil
Allahabad ..	"	"	"	"	"	46,200	3,49,603	6,19,491	5,74,835	"	"	"	2,800

APPENDIX LL.

(See page 51 *supra*.)

Statement of officers in the Public Health department whose services have been provincialized so far.

Name of office.			Number in the cadre.
(1)	Assistant Directors of Public Health	...	3+1 (officiating).
(2)	First class municipal medical officers of health	... ..	7
(3)	First class medical officers of health (newly created)	... ..	46
(4)	Second class medical officers of health (newly created)	... ..	38
(5)	Special posts (temporary and permanent)	...	9
(6)	Special health officers	... ..	4
(7)	Medical officers in charge of travelling dispensaries	... ..	44

APPENDIX MM.

(See page 51 *supra*.)*List of hydro-electric stations in the United Provinces.*

Serial number.	Station.	Control.	K. W. generated per annum.	Purpose for which the power is utilized.	Remarks.
1	Bahadrahad ..	Irrigation department ..	400,000 (approx.) ..	For water-supply pumping at Hardwar and for electric lighting at Hardwar and Roorkee.	
2	Naini Tal ..	Municipal board ..	881,042 units* ..	Water-supply pumping lighting, heating, and industrial purposes.	* Refers to year 1926-27.
3	Mussoorie ..	Ditto ..	3,486,080 " * ..	Ditto ..	* Refers to year 1926-27.
4	Mussoorie extension ..	Ditto ..	4½ millions (approx.) ..	Ditto ..	Under construction.

APPENDIX NN.

(See page 57 *supra*.)

Statement showing the population and members of certain town areas created since July, 1926, referred to in unstarred question No. 11 for October 29, 1927.

Name of town areas.	Population.			Members of the Town Area Committee.		
	Hindu.	Muslim.	Others.	Hindu.	Muslim.	Others.
Haswa* ..	1,802	1,558	22	No election took place.		
Khaga ..	2,864	551	Nil	4	1	Nil.
Dhata* ..	3,668	311	Nil	No election took place.		
Nautanwa ..	2,862	286	Nil	5	Nil	Nil.

* The provisions of the Town Areas Act have since been withdrawn from the Haswa and Dhata town areas.

APPENDIX OO.

(See page 57 *supra*.)

Statement referred to in the answer to unstarred question No. 12 for October 29, 1927.

Name of district board.	Number of new Pathshalas opened during—		Total cost on all Pathshalas during—		Remarks.
	1925-26.	1926-27.	1925-26.	1926-27.	
1	2	3	4	5	6
Etawah .. ..	..	7	..	449	
Cawnpore .. ..	..	..	..	..
Farrukhabad ..	79	48	5,848	12,877	
Fatehpur	19	3	3,420	8,960	

APPENDIX PP.

(See page 58 *supra*.)

*Statement referred to in the answer to unstarred Council question
No. 13 for October 29, 1927.*

Name of district.	Number of Islamia schools opened in the year		Number of Islamia schools closed in the year	
	1925-26.	1926-27.	1925-26.	1926-27.
1	2	3	4	5
1. Cawnpore	None	None	*6	None.
2. Fatehpur .. ..	..	..	None	1
3. Etawah .. ..	..	..	..	1
4. Farrukhabad .. ..	..	..	1	2

* Three converted into aided Maktabas and three into mixed schools.

APPENDIX QQ.

(See page 58 *supra*.)

Statement referred to in answer to unstarred Council question No. 15 for October 29, 1927, asked by DR. SHAFAT AHMAD KHAN SAHIB.

Office.	Total number of officials who are not members of any Imperial or Provincial service and whose pay is Rs. 100 or over.						Remarks.
	Hindus.	Pay.	Muslims.	Pay.	Indian Christians.	Pay.	
		Rs.		Rs.		Rs.	
1. High Court Allahabad ..	64	9,410	28	3,766	9	1,940	
2. Chief Court, Oudh ..	29	4,370	15	2,503	1	350	
3. Private Secretary to His Excellency.	4	770	..	..	2	1,360	
3A. Civil Secretariat ..	125	26,685	22	4,590	19	6,160	
4. Public Works department, Buildings and Roads branch.	188	31,015	29	4,254	5	1,335	
5. Chief Engineer, Public Works department, Irrigation branch.	232	33,297	65	11,085	6	1,670	
6. Chief Accounting office ..	79	11,528	2	300	5	810	Members of sub-accounts service etc.
7. Board of Revenue ..	29	7,000	..	..	..	..
8. Legal Remembrancer to Government.	26	4,543	?	462	4	560	
9. Inspector-General of Police ..	2	395	2	213	..	..
10. Inspector-General of Prisons ..	433	57,027	276	39,538	6	770	
11. Inspector-General of Civil Hospital.	48	8,452	16	2,590	1	190	
12. Inspector-General of Registration.	325	47,076	78	11,625	17	2,193	
13. Director of Public Instruction, United Provinces.	49	6,305	42	5,105	2	225	
14. Deputy Director of Land Records, United Provinces.	831	1,27,122	212	30,456	37	5,495	
15. Director of Agriculture ..	13	2,060	6	735	..	..
16. Director of Public Health ..	108	18,215	43	9,027	5	720	
17. Chief Conservator of Forests ..	8	917	3	435	..	..
18. Registrar, Co-operative Societies.	128	16,308	21	2,815	2	295	
19. Veterinary Adviser to Government.	28	4,813	12	1,860	..	..
20. Excise Commissioner ..	9	1,215	14	1,750	..	..
21. Director of Industries ..	109	18,602	53	9,330	6	1,230	
22. Secretary, Legislative Council ..	79	18,756	21	3,747	3	533	
23. Administrator General and Official Trustee, United Provinces.	7	1,405	1	340	..	..
24. Superintendent, Government Press.	1	175	..	..	..	..
25. Examiner, Local Fund Account, United Provinces.	7	921	4	680	1	102	
26. Chief Inspector of Offices ..	28	5,965	5	1,215	1	295	
27. Commissioner, Meerut ..	8	2,255	2	760	..	..
28. Commissioner, Agra ..	6	915	..	..	..	..
29. Commissioner, Rohilkhand ..	7	1,270	..	..	..	..
30. Commissioner, Allahabad ..	5	750	..	..	..	..
	4	555	1	195	1	140	

Statement referred to in answer to unstarred Council question No. 15
for October 29, 1927, asked by DR SHAFAT AHMAD KHAN SAHIE.

Total number of officials who are
not members of any Imperial or
Provincial service and whose pay
is Rs. 100 or over.

Office.		Hindus.	Pay.	Muslms.	Pay.	Indian Chris- tians.	Pay.	Remarks.
			Rs.		Rs.		Rs.	
31.	Commissioner, Jhansi ..	3	445	1	195	..	..
32.	Ditto Benares ..	5	1,025	1	110	1	90	
33.	Ditto Gorakhpur ..	4	850	1	130	1	140	
34.	Ditto Kumaun ..	4	600	..	..	..	..
35.	Ditto Lucknow ..	3	788	1	110	2	335	
36.	Ditto Fyzabad ..	4	440	1	360	..	..
37.	District Officer, Dehra Dun ..	8	1,175	1	240	..	..
38.	Ditto Saharanpur ..	13	1,850	5	814	..	..
39.	Ditto Muzaffarnagar ..	9	1,307	7	999	..	..
40.	Ditto Meerut ..	13	2,045	9	1,433	..	..
41.	Ditto Bulandshahr ..	11	1,595	5	855	..	..
42.	Ditto Aligarh ..	11	2,000	9	1,420	..	..
43.	Ditto Muttra ..	12	1,745	6	715	..	..
44.	Ditto Agra ..	13	2,045	11	1,660	..	..
45.	Ditto Mainpuri ..	13	1,935	4	590	..	..
46.	Ditto Etah ..	12	1,698	4	515	1	190	
47.	Ditto Bareilly ..	14	1,990	5	995	..	..
48.	Ditto Bijnor ..	10	1,280	5	877	..	..
49.	Ditto Budaun ..	10	1,630	9	1,220	..	..
50.	Ditto Moradabad ..	15	2,325	6	970	..	..
51.	Ditto Shahjahanpur ..	13	2,101	3	590	..	..
52.	Ditto Pilibhit ..	8	1,160	3	430	..	..
53.	Ditto Farrukhabad ..	11	1,535	6	855	..	..
54.	Ditto Etawah ..	10	1,539	6	915	..	..
55.	Ditto Cawnpore ..	15	2,280	6	1,095	1	100	
56.	Ditto Fatehpur ..	11	1,505	3	580	..	..
57.	Ditto Allahabad ..	17	2,672	11	1,770	..	..
58.	Ditto Banda ..	13	1,920	5	605	2	350	
59.	Ditto Hamirpur ..	9	1,210	6	940	..	..
60.	Ditto Jhansi ..	11	1,817	8	1,247	..	..
61.	Ditto Jalaun ..	9	1,835	5	737	..	..
62.	Ditto Benares ..	9	1,250	4	590	1	195	
63.	Ditto Mirzapur ..	12	1,735	3	500	1	210	
64.	Ditto Jaunpur ..	13	1,975	4	650	..	..
65.	Ditto Ghazipur ..	11	1,448	4	635	..	..
66.	Ditto Ballia ..	11	1,435	6	975	..	..
67.	Ditto Gorakhpur ..	14	2,155	9	1,385	1	140	
68.	Ditto Basti ..	14	1,892	8	1,125	..	..
69.	Ditto Azamgarh ..	16	2,093	7	1,115	..	..
70.	Ditto Naini Tal ..	26	3,596	3	403	2	290	
71.	Ditto Almora ..	12	1,755	..	..	..	..
72.	Ditto Garhwal ..	8	1,040	2	322	..	..
73.	Ditto Lucknow ..	8	980	7	1,227	1	135	
74.	Ditto Unao ..	10	1,300	7	1,250	..	..
75.	Ditto Rae Bareilly ..	9	1,440	5	680	1	140	
76.	Ditto Sitapur ..	12	1,630	3	600	..	..
77.	Ditto Hardoi ..	9	1,435	7	870	..	..
78.	Ditto Kheri ..	9	1,195	4	550	..	..
79.	Ditto Fyzabad ..	13	1,905	4	635	..	..
80.	Ditto Gonda ..	12	1,695	4	770	..	..
81.	Ditto Bahraich ..	10	1,571	4	490	..	..
82.	Ditto Sultanpur ..	11	1,850	6	1,202	..	..
83.	Ditto Partabgarh ..	8	1,280	5	740	..	..
84.	Ditto Bara Banki ..	11	1,760	6	765	..	..

Statement referred to in answer to unstarred Council question No. 15 for October 29, 1927, asked by DR. SHAFI'AT AHMAD KHAN SAHIB.

Office.	Total number of officials who are not members of any Imperial or Provincial service and who pay is Rs. 100 or over.						Remarks.
	Hindus.	Pay.	Muslims.	Pay.	Indian Christians.	Pay.	
		Rs.		Rs.		Rs.	
85. District Judge, Saharanpur ..	8	1,080	2	260	1	140	
86. Ditto Meerut ..	19	2,400	1	100	..	..
87. Ditto Bulandshahr ..	8	1,090	2	210	..	..
88. Ditto Agra ..	10	1,405	5	575	..	..
89. Ditto Aligarh ..	16	2,050	4	485	..	..
90. Ditto Mainpuri ..	10	1,330	..	..	..	..
91. Ditto Allahabad ..	10	1,430	5	580	2	325	
92. Ditto Farrukhabad ..	7	845	1	260	..	..
93. Ditto Cawnpore ..	11	1,685	5	620	..	..
94. Ditto Jhansi ..	7	885	1	100	..	..
95. Ditto Benares ..	8	1,133	3	310	1	100	
96. Ditto Ghazipur ..	7	1,005	3	325	..	..
97. Ditto Gorakhpur ..	9	1,170	2	220	1	170	
98. Ditto Azamgarh ..	4	465	4	620	..	..
99. Ditto Bareilly ..	7	995	3	380	1	115	
100. Ditto Moradabad ..	11	1,400	7	825	..	..
101. Ditto Budaun ..	7	845	4	555	..	..
102. Ditto Shahjahanpur..	4	475	3	425	1	115	
103. Ditto Kumaun and Pilibhit.	6	820	2	270	..	..
104. Sessions and Sub-Judge, Jaunpur.	2	300	3	365	..	..
105. Lucknow judgeship ..	14	1,870	2	260	3	395	
106. Rae Bareilly, do. ..	6	820	2	240	..	..
107. Hardoi do. ..	4	450	1	110	1	140	
108. Sitapur do. ..	7	970	3	380	..	..
109. Gonda do. ..	8	980	2	270	..	..
110. Fyzabad do. ..	6	700	2	360	..	..

APPENDIX RR.

(See page 59 supra.)

Copy of a letter no. 1535, dated May 3, 1923, from G. M. HARPER, ESQ., I.C.S., District Magistrate, Banda, to the Executive Engineer, Ken Canal division, Banda.

THE town of Banda is surrounded on three sides by canal channels but the town itself is shut off and receives no benefit from the system. I have the honour to say that in my opinion no single improvement could bring greater comfort and amenity to the residents of the town than an arrangement whereby the water which runs to waste from the tail of the Banda minor could be diverted to fill the tanks and improve the gardens in the town.

There can be no question, I would think, that such a scheme is perfectly feasible. The only question is, whether the municipality could bear the expense. It is obviously impossible for the municipal board to consider this until you have prepared a scheme and an estimate. I am sending a copy of this letter to the chairman, municipal board, with the recommendation that if he approves of the idea he should communicate with you direct and should appoint a member or official of the board who could consult with you or your representative on the subject.

Copy of a letter no. 3877/W-1, dated July 10, 1923, from M. A. HIGGS, ESQ., I.S.E., Executive Engineer, Ken Canal division, to the Secretary, municipal board, Banda.

WITH reference to correspondence ending with my no. 3518/W-1, dated June 20, 1923, I have the honour to send you herewith a rough estimate of cost for introducing canal water into Banda city. I attach a note explaining my proposals which will be clear from the 16" map also enclosed.

2. It is perfectly feasible to supply all the Banda tanks, barring the Pragi tanks, with water; but in the case of the tanks on the west of the city the cost is high, due to the necessity for carrying the supply in pipes across the deep depression which cuts off the city from the irrigation channels.

3. In addition to the initial cost of the scheme the supply of water to the *diggi* tank will be assessed at the rate of Rs. 2-8 per 5,000 cubic feet which is the rate in force for water supplied in bulk. As your consumption will probably average some two million cubic feet this will cost Rs. 1,000 a year. The supply of water would have to be regulated by the terms of a special agreement.

4. It is great pity that the levels of the existing town drains are not more favourable. In consequence the full storage of the *diggi* cannot be utilized. With the supply channel as now aligned it has been possible to utilize existing culverts where the railway and metalled roads are crossed, thus obviating the building of new crossing and the cost as now worked out is the lowest at which the scheme could be put through.

5. The collectorate and new town halls can be watered by a small branch of the main supply channel.

6. On your intimating definitely that you are prepared to finance the scheme the details thereof will be elaborated. The map may please be returned as soon as possible.

Estimate for introduction of canal water to Banda city.

	Rs.
(1) Regulator in Banda minor	100
(2) Widening existing gul No. 10, Banda minor	100
(3) Cost of open channel "AB" and "CDEF"	150
(4) Settling tank and head for pipeline	300
(5) 2,400 feet 8" galvanized iron pipe (spigot and socket) at Rs. 5 per foot	12,000
(6) Laying pipe line	500
(7) Regulator at "D"	100
(8) Remodelling culvert at "E"	150
(9) Cunette culvert at "F"	100
(10) Open channel "F" to "J"	100
(11) Regulator at "J"	200
(12) Sluice for Chales tank	500
(13) Sluice for Kunder Das tank	500
(14) Unforeseen	500
(15) Add for improving the diggi	2,000
Total	18,000

Copy of a letter No. 183, dated August 2, 1923, from the Chairman, municipal board, Banda, to the Executive Engineer, Ken Canal division, Banda.

WITH reference to your No. 3877/W-1, dated July 10, 1923, I have the honour to inform you that the board under its resolution No. 22, dated July 23, 1923, has approved the proposals on condition if the whole cost be recovered in instalments of Rs. 2,000 a year. I therefore request you to undertake the work for bringing canal water into Banda city. A copy of the board's resolution No. 22, dated July 23, 1923, is herewith enclosed for information.

Copy of board's resolution No. 22, dated July 23, 1923.

Resolved.—That the executive engineer be requested to undertake the work on condition if he is willing to recover the whole amount of Rs. 18,000 in instalments of Rs. 2,000 a year.

Copy of a letter No. 4522/W-1, dated August 8, 1923, from M. A. Higgs, Esq., I.S.E., Executive Engineer, Ken Canal division, to the Chairman, municipal board, Banda.

WITH reference to your No. 183, dated August 2, 1923, I regret that under paragraph 283(iv) of the Public Works Department Code the work could only be undertaken in the event of the money being deposited in the treasury. The said section precludes the issue of a government advance.

2. Before work could be undertaken a detailed estimate will have to be prepared. This I can only do if I know definitely that you can finance the scheme.

APPENDIX SS.

(See page 60 *supra*.)

Statement referred to in answers to unstarred questions Nos. 24, 25, and 23(a) asked by BABU UMA SHANKAR SAHIB.

24(a). "The following four employees resigned of their own accord :—

- (1) Thakur Balwant Singh, teacher.
- (2) Babu Gur Prasad, teacher.
- (3) Babu Gaya Prasad, octroi barrier clerk.
- (4) Basharat Husain, octroi peon.
- (b) "The following three employees were dismissed :—
- (1) Baichhu Singh, octroi peon.
- (2) Sukhdeo, cattle-pound herdsman.
- (3) Babu Pratab Narain, octroi naka clerk."

25. "The following five Hindus were appointed by the board during the period :—

- (1) Pandit Deo Datta, teacher.
- (2) Pandit Sheo Shankar Lal, teacher.
- (3) Munshi Mahadeo Prasad, teacher.
- (4) Pandit Chanrika Prasad, teacher.
- (5) Thakur Jagrup Singh, teacher (as a probationer).

26. (a) The following seven Muslims were appointed by the board or the Chairman during the same period :—

- | | |
|------------------------------------------------------------------------------------|----------------------------|
| (1) Munshi Azizuddin, qualified sanitary inspector, now getting Rs. 70 per mensem, | } as officiating teachers. |
| (2) Munshi Shaghir Ali, v.F., getting Rs. 14 per mensem, | |
| (3) Munshi Maqimul Haq, v.F., getting Rs. 14 per mensem, | |
| (4) Munshi Usman Ahmad, v.F., getting Rs. 14 per mensem, | |
| (5) Muhammad Hanif Khan (literate), as a peon on Rs. 10 per mensem. | |
| (6) Anwar Husain (literate), as a peon on Rs. 10 per mensem. | |
| (7) Abdul Muqit (literate), as a cattle-pound herdsman on Rs. 8 per mensem. | |

APPENDIX TT.

(See page 64 *supra*.)*Number of cases decided by Magistrates at Lalitpur.*

Year.	Munsif, Lalitpur.			European Magistrates.			Indian Magistrates.		
	Criminal cases.	Police cases.	Convictions in police cases.	Criminal cases.	Police cases.	Convictions in police cases.	Criminal cases.	Police cases.	Convictions in police cases.
1925 ..	32	14	9	54	32	29	249	85	72
1926 ..	6	3	3	92	57	50	176	62	55

Statement of cases decided by Assistant Collectors at Lalitpur.

Year.	Indian Assistant Collectors.		European Assistant Collectors.	
1925	101	...
1926	36	36

APPENDIX UU.

(See page 64 supra.)

Statement referred to in answer to unstarred question No. 48 for
October 29, 1927.

Statement showing the number of students in the Colvin Taluqdars' School, Lucknow, on March 31, 1927, with the names of the districts they come from :—

Number of students.			Districts from which they come.
1	...	...	Dacca.
1	...	...	Etawah.
1	...	...	Lucknow.
4	...	...	Bahraich.
7	...	...	Gonda.
5	...	...	Rae Bareli
2	...	...	Partabgarh.
3	...	...	Kheri.
1	...	...	Monghyr.
1	...	...	Bareilly.
2	...	...	Bara Banki.
1	...	...	Moradabad.
2	...	...	Bulandshahr.
1	...	...	Fatehpur.
1	...	...	Mirzapur.
1	...	...	Patna
1	...	...	Sultanpur.
1	...	...	Gorakhpur.
1	...	...	Sitapur.
1	...	...	Bijnor.
1	...	...	Fyzabad.
1	...	...	Budaun.
2	...	...	Jalaun.
1	...	...	Hardoi.
1	...	...	Cawnpore.
Total 44			

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Monday, October 31, 1927.

THE Council met in the Council Hall, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(98)

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo. Elliott, Bart.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Col. R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. C. Desanges.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Babu Lakshmi Narayan Gargh.
Babu Ganesh Shankar Vidyarthi.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Pratap Bhan Singh.
Thakur Bikram Singh.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Rao Udaibir Singh.
Babu Kishori Prasad.
Pandit Mool Chand Dube.

Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhai Chandan Prasad.
Bhaya Hanumat Prasad Singh.
Babu Ganga Prasad Roy.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Raja Bahadur Bishwanath Saran Singh.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Raja Raghuraj Singh.
Maharaj Kumar Major Mahijit Singh.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Mr. Muhammad Abdul Bari.
Maulvi Zahur-ud-din.
Saiyid Tufail Ahmad.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Husain.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Shaikh Ghulam Husain.
Khan Bahadur Saiyid Jafer Hosain.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Raja Saiyid Ahmad Ali Khan Alvi.
Mr. Muhammad Habib.
Rai Bahadur Lala Bihari Lal.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Mr. E. M. Souter.
Mr. J. P. Srivastava.
Pandit Iqbal Narayan Gurtu.

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

CONSTITUTION OF THE BOARD OF LOAN COMMISSIONERS.

*1. **Pandit Govind Ballabh Pant:** Will the Government be pleased to state what is the constitution of the Board of Loan Commissioners? How many members of the said Board are returned by the Council? When were they last elected? What amount was recovered on account of the loan advances by the Board during the last year, and what was due? Are any instalments in arrears? If so, from whom and to what extent?

The Hon'ble Thakur Rajendra Singh: The present constitution of the Board of Loan Commissioners is as follows:—

- | | |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| (1) Mr. A. W. McNair, C.S.I., O.B.E.,
I.C.S., Member, Board of Revenue, United Provinces. | } Chairman. |
| (2) The Registrar, Co-operative Societies, United Provinces. | |
| (3) The Chief Inspector of Factories, United Provinces. | } Nominated by Government. |
| (4) Mr. B. W. Vane Percy, Agent, Imperial Bank of India, Ltd., Cawnpore. | |
| (5) The Hon'ble Raja Moti Chand Sahib, C.I.E., Benares. | } Nominated by Government to represent the Imperial Bank. |
| (6) Mr. G. Ross, Agent, Allahabad Bank, Ltd., Cawnpore. | |
| (7) Rai Bahadur Babu Vikramajit Singh Sahib, M.L.C., Cawnpore. | } Nominated by Government to represent joint stock banks. |
| (8) Mr. A. L. Carnegie, President, Upper India Chamber of Commerce, Cawnpore. | |
| (9) Mr. Alakhdhari, Ambala | } Nominated by Board of Industries, United Provinces. |
| ... | |
| (10) Mr. S. D. Bajpai, B.Sc., LL.B., Deputy Secretary to Government, United Provinces, Finance department. | } Nominated by Upper India Chamber of Commerce, Cawnpore. |
| (11) The Director of Industries, United Provinces. | |
| | } Nominated by United Provinces Chamber of Commerce, Cawnpore. |
| | } Nominated by Government. |
| | } Member and Secretary. |

None of the members is elected by the Council.

The Board do not make any loan advances, but only send their recommendations to Government.

PUBLIC WORKS DEPARTMENT INSPECTION HOUSES AND *kham* BUNGALOWS.

*2. **Pandit Govind Ballabh Pant:** (a) How many Public Works department inspection houses and *kham* bungalows are there in Kumaun division?

(b) For how many days was each occupied and by whom during the last year?

(c) Are the said buildings available for the use of travellers at places where dāk bungalows do not exist? In case such practice does not prevail at present, is it the intention of the Government to open these bungalows for the public on payment of reasonable fees when they are not needed for the officers of the department?

(d) What cost is incurred annually on the repairs and maintenance of the said buildings?

† **The Hon'ble Sir Sam O'Donnell:** (a) 17 *kham* bungalows.

(b) For the *kham* bungalows no record is kept.

(c) These buildings are intended primarily as inspection houses and not as public conveniences. The permission of the officer in charge is therefore necessary before travellers are entitled to use them. Government consider such permission necessary and do not propose to alter the present practice.

(d) The annual expenditure on maintenance and repairs to the *kham* bungalows is Rs. 2,516, which includes cost of special repairs.

† **The Hon'ble Nawab Muhammad Yusuf:** (a) 45 Public Works department inspection houses.

(b) For the Public Works department bungalows the compilation of the statistics would involve an amount of time and labour out of proportion to the value of the result which would be obtained; Government do not therefore propose to collect the figures.

(c) These buildings are intended primarily as inspection houses and not as public conveniences. The permission of the officer in charge is therefore necessary before travellers are entitled to use them. Government consider such permission necessary and do not propose to alter the present practice.

(d) The annual expenditure on maintenance and repairs to the Public Works department inspection houses is Rs. 13,625, which includes pay of chaukidars.

RESTRICTIONS ON PROPRIETORS OF ZAMINDARI VILLAGES IN BHABAR.

*3. **Pandit Govind Ballabh Pant:** (i) Are there any restrictions on the use and enjoyment of their estates by the proprietors of the zamindari villages in Bhabar as compared with similar villages situated in other places? (ii) If so, what and why are they imposed?

The Hon'ble Sir Sam O'Donnell: (i) No.

(ii) Does not arise.

TRAVELLING ALLOWANCE TO DISTRICT BOARD MEMBERS, MORADABAD.

*4. **Pandit Govind Ballabh Pant:** Was a proposal for granting travelling allowance to district board members for attending meetings of the board adopted by the Moradabad district board? If so, when? Has effect been given to the said resolution? If not, why? What is the total annual income of the board and what would the said proposal cost the board per annum?

The Hon'ble Nawab Muhammad Yusuf: The Moradabad district board resolved in December, 1926, to grant travelling allowance to its members for attending the meetings of the board and the sub-committees, but the resolution was cancelled in January, 1927, as it contravened the provisions of rule 7 (2) of the rules published with Government notification No. 580, dated June 18, 1926. The annual income of the board amounts to Rs. 5,18,352, and the travelling allowance to members for attending the said meetings would, if allowed, cost approximately Rs. 2,500 per annum.

DALTON LABORATORY PLAN OF TEACHING.

***5. Pandit Iqbal Narayan Gurtu :** (a) Has the Dalton Laboratory plan of teaching been introduced or tried in any (1) training college, (2) normal school for boys or girls, (3) Government schools? If so, with what result?

(b) If the answer be in the negative, is it the intention of the Government to impart training in this method in selected training colleges and normal and Government schools?

(c) Does Government intend to encourage the introduction of the Dalton method of teaching in selected aided schools by giving them special grants for the purpose?

The Hon'ble Rai Rajeshwar Bali : (a) Yes, in a modified form in the Government Normal School, Gorakhpur, and the Training College, Agra. Instruction in the principles underlying the plan is given at the Training College, Allahabad.

(b) The department is encouraging inspecting officers and the staff and students of training colleges and normal schools to study the plan and to experiment with it in selected schools.

(c) Applications for grants for the purpose will be considered on their merits.

NOMINATED MEMBERS OF JHANSI MUNICIPAL BOARD.

***6. Pandit Bhagwat Narayan Bhargava :** Is it a fact that two nominated members of Jhansi municipal board have not attended a single meeting of the board since their nomination as members by the Government?

The Hon'ble Nawab Muhammad Yusuf : No.

***7. Pandit Bhagwat Narayan Bhargava :** (a) When were they nominated?

(b) Are they officials of the railway?

The Hon'ble Nawab Muhammad Yusuf : (a) Saiyid Muhammad Yaqub was nominated on September 7, 1926, and Kanhaiya Lal Lohar on December 12, 1926.

(b) No.

***8. Pandit Bhagwat Narayan Bhargava :** Do Government intend to remove these members and to nominate others? If not, why?

The Hon'ble Nawab Muhammad Yusuf : Government see no reason for removing them.

***9. Pandit Bhagwat Narayan Bhargava:** Has the Government ever removed any nominated member from any municipal board since the passing of the Municipalities Act of 1916? If so, how many, where, and why?

The Hon'ble Nawab Muhammad Yusuf: Two nominated members have been removed by Government since the passing of the Municipalities Act, 1916. They were members of the municipal boards of Allahabad and Cawnpore and were removed under section 40(1) (c) of the Municipalities Act.

MODEL DAIRY FARMS.

***10. Pandit Bhagwat Narayan Bhargava:** How many model dairy farms, if any, have hitherto been started by the municipal boards and by the Government in the province?

The Hon'ble Thakur Rajendra Singh:

By municipal boards ... None.

By Government ... One, that at the Agricultural College, Cawnpore.

Proposals from one municipality (Lucknow) for a model dairy are under consideration. The establishment by Government of three additional model dairy farms has been sanctioned.

BURMA MEAT TRADE.

***11. Pandit Bhagwat Narayan Bhargava:** With reference to the answer given to starred question No. 94 of August 22, 1925, will the Government state if it is now in a position to say what action it intends to take on the resolution of the Council adopted on February 16, 1921, regarding stoppage of Burma meat trade?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: An answer will be given at a later date.

AGRA MEDICAL SCHOOL.

***12. Pandit Bhagwat Narayan Bhargava:** (a) Will the Government state if there are two courses, one of four years and the other of five years, in the Agra Medical School? (b) What are the reasons for this variation? (c) What is the difference in the subjects of the two courses? (d) What are the preliminary educational qualifications for admission to both these courses?

The Hon'ble Rai Rajeshwar Bali: (a) There is at present only a four years' course

(b), (c) and (d) Do not arise.

***13. Pandit Bhagwat Narayan Bhargava:** Will the Government state the reasons for deviating from the Government resolution No. 144-C/V—102 of 1914, Medical department, dated June 3, 1916?

The Hon'ble Rai Rajeshwar Bali: The reason why the Government deviated from resolution No. 144-C/V—102 of June 3, 1916, is that the State Medical Faculty scheme, which was recommended by the State Board of Medical Examinations in 1921, was a decided improvement on the scheme outlined in 1916. This, the L.M.S., scheme dealt with the abolition of the L.M.P. qualification and the introduction in its place of a

higher qualification after a five years' course of study. The State Medical Faculty scheme provides for—

- (1) an improved L.M.P. course of four years,
- (2) a higher qualification after a five years' course.

The advantage is clear. It enables those who for educational or other reasons are unable to enter for the higher qualification to compete for the Licentiate qualification. Under the 1916 scheme this was not possible.

***14. Pandit Bhagwat Narayan Bhargava:** Is there any difference in the status and privileges of the students who pass the four years' and the five years' course?

The Hon'ble Rai Rajeshwar Bali: Yes. Those students who pass the Licentiate examination of the State Medical Faculty are of the same status as the L.M.P. class of practitioners, while those who will hold the membership qualification will be of equal status with an assistant surgeon of the Provincial Medical Service.

***15. Pandit Bhagwat Narayan Bhargava:** Was the United Provinces Medical Council consulted about the course of action taken by the Government? If not, why not?

The Hon'ble Rai Rajeshwar Bali: It was not necessary to do so, for it was generally admitted that the raising of the standard of medical education at the Agra Medical School was imperative. The Medical Council, however, in 1920 unanimously agreed to the institution of the State Medical Faculty. The Medical Council had every opportunity to criticize the State Medical Faculty scheme when it was published for information and objection in November, 1921. Government have, however, informed the Medical Council that any suggestions regarding the scheme received from them will be considered.

***16. Pandit Bhagwat Narayan Bhargava:** What are the functions of the Medical Council?

The Hon'ble Rai Rajeshwar Bali: The functions of the Medical Council are—

- (1) to provide for the registration of persons possessing recognized medical degrees or qualifications;
- (2) to safeguard the interests of registered medical practitioners and of the medical profession in general.

***17. Pandit Bhagwat Narayan Bhargava:** Has the Government any objection to reconsidering the question?

The Hon'ble Rai Rajeshwar Bali: Government does not propose to reconsider the question. The State Medical Faculty, which is constituted on the same lines as the Bengal State Medical Faculty, was set on foot after mature and careful consideration. Under section 19 of the Medical Registration Act, III of 1917, the final decision, as to whether a title or qualification should be recognized as a registrable qualification or otherwise, rests with Government. The State Medical Faculty of Bengal is recognized by the Medical Council. The Government of India have with reference to the Indian Medical Degrees Act, 1913, authorized the United Provinces State Medical Faculty to grant diplomas, licences and certificates.

CONDUCT OF POLICE OFFICIALS CRITICIZED IN A JUDGEMENT OF THE
SESSIONS COURT, ALLAHABAD.

*18. **Pandit Bhagwat Narayan Bhargava**: Has the attention of the Government been drawn to the judgement of the sessions court, Allahabad, dated May 31, 1927, in the case under section 366A, I. P. C., in which Musammat Dularia was abducted and her modesty outraged?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

*19. **Pandit Bhagwat Narayan Bhargava**: Is it a fact that the sessions judge has severely criticized the police methods in the case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

*20. **Pandit Bhagwat Narayan Bhargava**: What action does the Government propose to take against the police officers against whom adverse remarks have been made by the court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: An inquiry has already been held, which shows that the police officers were not to blame.

Thakur Manjit Singh Rathor: Does the Hon'ble the Home Member mean that the remarks of the sessions court were unjustified in this case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not wish to make any reflection on the sessions court. We made an inquiry and if my memory is not at fault, Sobha, who was thought to have outraged the woman, was challaned by the police, but was discharged.

Thakur Manjit Singh Rathor: Who are the police officials against whom the sessions court made the remarks that are referred to in the question?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not remember their names.

Thakur Manjit Singh Rathor: Will the Government kindly state who made the inquiries in which the police officials were found to be innocent?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The superintendent of police concerned

Thakur Manjit Singh Rathor: Will the Government kindly state what action they propose to take on the remarks of the court in case it was found in the inquiry that the police officials were unjustly blamed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As I have already stated, an inquiry was made and it was found that the officers concerned were not to blame. As far as I remember they challaned Sobha, who was later on discharged.

Thakur Manjit Singh Rathor: Was that man a police official?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No. That man has nothing to do with the Police department.

Thakur Manjit Singh Rathor: Is it a fact that Musammat Dularia was abducted and her modesty outraged?

The Hon'ble the President: We cannot go into the facts of the case. The supplementary question should be in reference to question No. 18.

*21. **Pandit Bhagwat Narayan Bhargava**: Has the sessions judge also opined that offences like kidnapping have not abated at all in

the Allahabad district? What action do the Government intend to take in this connexion?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The statistics do not bear out the views expressed by the additional sessions judge.

PROSECUTIONS UNDER MUNICIPALITIES ACT IN JHANSI.

*22. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that the Jhansi municipal board on the request of the superintendent of police has authorized the police to start prosecution under section 255 of the Municipalities Act? If so, when? Has the police utilized this power since then? If so, how many times?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. In 1926

Yes. Eighteen cases have been prosecuted.

*23. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that the municipal board has been writing to the police to take action under the said section without any result or even getting a reply from the police? Is the Government aware that the auditors have prohibited the board from incurring any expenditure from its funds on seizing cattle and challaning people under this section?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No. Action was taken on two letters received in February and May, 1927. The auditors objected to the employment of two peons for the purpose of seizing and impounding stray cattle without the sanction of the board.

BOOKS PRESCRIBED BY TEXT-BOOK COMMITTEE AND COMPOSITION OF THE COMMITTEE.

*24. **Pandit Bhagwat Narayan Bhargava:** How many years does a text-book once approved remain on the curriculum? How much time before a book is replaced is the information given to the publisher whose book is thrown out of the curriculum?

The Hon'ble Rai Rajeshwar Bali: At least two years. No definite time is prescribed, but usually several months' notice is given.

Khan Bahadur Hafiz Hidayat Husain: Is it a fact that certain books have so remained for at least five or six years?

The Hon'ble Rai Rajeshwar Bali: I do not see how it arises. I say at least two years.

Khan Bahadur Hafiz Hidayat Husain: Is it not a fact that some of these books have remained for at least half a dozen years?

The Hon'ble Rai Rajeshwar Bali: Yes.

Khan Bahadur Hafiz Hidayat Husain: Why have they continued for so long a time?

The Hon'ble Rai Rajeshwar Bali: It is at the discretion of the Text-book Committee. If they do not reject a particular book, it can be continued.

Babu Bhagwati Sahai Bedar: On what grounds is a book rejected by the Text-book Committee?

The Hon'ble the President: That does not arise.

***25. Pandit Bhagwat Narayan Bhargava:** Is it a fact that the maximum number of alternative books has been fixed by the Government at six? Is it a fact that in certain cases this rule has not been followed? If so, why?

The Hon'ble Rai Rajeshwar Bali: In all classes in vernacular schools, with the exception of infant class, the number of alternative text-books has been fixed at five. This number has been exceeded in some cases for want of clear recommendations from the Text-book Committee; but steps have been taken to rectify the mistake.

***26. Pandit Bhagwat Narayan Bhargava:** Will the Government state the names of the members of the Text-book Committee who are either authors, compilers or translators, publishers or partners thereof of any text-book at present in use?

The Hon'ble Rai Rajeshwar Bali: A statement is placed on the table of the honourable member.

(See Appendix A, page 221.)

***27. Pandit Bhagwat Narayan Bhargava:** How many cases during the last three years have there been when typed manuscripts have been accepted as an exception to the rule? If so, why? Who was the author and publisher of those books?

The Hon'ble Rai Rajeshwar Bali: During the past three years there has been no rule against the submission of books in manuscript; books in manuscript are accepted at the discretion of the president.

***28. Pandit Bhagwat Narayan Bhargava:** Is it a fact that Hindi readers for girls' vernacular schools which are at present in use have been on the curriculum for a long time? If so, for how many years has each been so? Who are their publishers?

The Hon'ble Rai Rajeshwar Bali: A statement is laid on the honourable member's table; it will be seen that in each section there is a number of alternative readers, at least one of which is of recent date.

(See Appendix B, page 222.)

***29. Pandit Bhagwat Narayan Bhargava:** Has the Text-book Committee ever called upon publishers of Hindi books to write literary books for use in girls' schools as text-books?

The Hon'ble Rai Rajeshwar Bali: No.

***30. Pandit Bhagwat Narayan Bhargava:** How many years have elapsed since the present books for girls have not been reviewed to see if they are suitable for the present times?

(Answered along with No. 28.)

***31. Pandit Bhagwat Narayan Bhargava:** Have any changes been effected in them in pursuance of the resolution of Pandit Govind Ballabh Pant about introducing national and patriotic spirit in books?

The Hon'ble Rai Rajeshwar Bali: A number of books containing patriotic poems and designed to inculcate a spirit of patriotism have been included in the curricula of vernacular and English schools,

PHERU SINGH'S NOMINATION TO POLICE TRAINING SCHOOL.

***32. Chaudhri Vijai Pal Singh :** Is it a fact that the only independent witness for the prosecution, Mr. Pheru Singh, in the Kakori conspiracy case, has been nominated for the police training school at Moradabad after he gave evidence? Is it a fact that he had been refused nomination twice for two consecutive years? If the answer is in the affirmative, will the Government be pleased to state what special reason there was for his nomination this year?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no justification for the description of Mr. Pheru Singh given in this question. The Inspector-General of Police reports that he has been admitted to the police training school on the usual grounds that he was qualified and suitable; and further reports that he has been unable to verify the suggestion that he was previously nominated. If the honourable member can give the name of the nominating officer, the point will be verified. The number of nominating officers is considerable.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member tell me what he means by "no justification for the description of Mr. Pheru Singh"?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : In the question it is said that he was "the only independent witness," so there is no justification for saying "the only"

Chaudhri Vijai Pal Singh : There is some mistake in the question.

The Hon'ble the President : The mistake cannot be rectified here. The honourable member is entitled to put a supplementary question, but cannot make a statement unless he does so by way of personal explanation. If a personal explanation is thought necessary, the honourable member can give it after the questions are over.

Lala Nemi Saran : Was this man ever nominated before?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is said in the reply that the Inspector-General could not verify the suggestion that he was previously nominated. If the honourable member would read the reply, he would find it mentioned there.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member inquire from the Muzaffarnagar district whether he was nominated from that district by the superintendent of police for two successive years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As the honourable member has given a definite name, I shall look into the matter.

INSPECTION NOTE ON MEERUT DISTRICT JAIL.

***33. Chaudhri Vijai Pal Singh :** (a) Has the attention of Government been drawn to my inspection note, dated April 22, 1927, for the Meerut district jail, and particularly to my note about the Superintendent utilizing two jail bulls for watering the garden of his bungalow? (b) Does the Superintendent live on the jail premises? (c) What action (if any) has been taken on this note?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Not until it was drawn by the honourable member's question.

(b) No.

(c) Orders prohibiting the practice have been issued.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member tell us what became of the two bulls referred to in my note ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Perhaps they are still alive.

Babu Sampurnanand : Was any compensation taken from the Superintendent for using the bulls for his private work ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Babu Sampurnanand : Why was it not done ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Because Government did not think it necessary.

Babu Sampurnanand : Are Superintendents of jails authorized to use Government property for their private work ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Chaudhri Vijai Pal Singh : Is it the intention of Government to make inquiries about the disposal of the two bulls ?

The Hon'ble the President : If it is a fresh question, it will require notice.

DEPRESSED CLASSES NOMINATION TO MUNICIPAL BOARD, MEERUT.

* 34. **Chaudhri Vijai Pal Singh :** Is it the intention of the Government to nominate a representative of the depressed classes to the municipal board, Meerut ?

The Hon'ble Nawab Muhammad Yusuf : Chaudhri Daya Chand has already been nominated to the municipal board, Meerut, as a representative of the depressed classes.

Lala Nemi Saran : Does he belong to the depressed classes ?

The Hon'ble Nawab Muhammad Yusuf : Yes.

NUMBER OF RECRUITS FOR THE POLICE CONSTABULARY.

* 35. **Chaudhri Vijai Pal Singh :** Will the Government be pleased to state for the last five years the number of recruits for the police constabulary in each year from among the following classes :—

- (i) Muhammadans,
- (ii) Jats,
- (iii) Rajputs,
- (iv) Brahmans,
- (v) Kayasthas,
- (vi) Banias ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table of the honourable member.

(See Appendix C, page 223)

Babu Sampurnanand : Are Bhuinhars treated as Brahmans in this statement ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of the fact whether Bhuinhars are included among Brahmans or not.

Babu Sampurnanand : I mean in this statement.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There are Brahmans in this statement, but whether Bhuinhars have been treated as Brahmans or not I do not know.

Chaudhri Vijai Pal Singh : Add the figures for Jats, Rajputs, Brahmans, Kayasthas and Banias; the total for each for 1924, 1925 and 1926 comes to 598, 949 and 940. But for the Muhammadans for those years it comes to 933, 1,389 and 1,147. Will the Hon'ble the Home Member give any special reasons why the Muhammadans were nominated in such large numbers, or, in other words, why all the other communities were not represented equally with the Muhammadans?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reply is obvious. This recruitment does not represent the whole Hindu community. It relates only to certain castes, while the Muhammadan recruitment is the recruitment from the whole community.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member give any special reasons why the Brahmans were not recruited in such large numbers as previously?

The Hon'ble the President : I am afraid the honourable member asked for a statement, and a statement has been laid on the table.

Chaudhri Vijai Pal Singh : Are there any special reasons for this state of things or special instructions issued by the Government to local officers not to encourage the recruitment of Brahmans, Kayasthas and Banias?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

MR. PREM KISHAN KHANNA.

*36. **Chaudhri Vijai Pal Singh :** Is it a fact that Mr. Prem Kishan Khanna, a Kakori conspiracy prisoner in the Meerut district jail, was put in a condemned cell for the first fortnight on his admission to the jail?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The convict was kept in a condemned cell from April 8 to April 22, 1927 as the Superintendent of the jail decided that he should be kept apart from other prisoners and the convict preferred a cell for convicts under sentence of death to a separate confinement cell.

Babu Bhagwati Sahai Bedar : What is the law?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know the particular section.

Thakur Manjit Singh Rathor : Is it open to the choice of a prisoner to choose a cell which is expressly made for prisoners who are to be hanged?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think it is for the Superintendent—if he likes he can put a prisoner in separate confinement.

Thakur Manjit Singh Rathor : Is this for the convenience of the prisoner?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is for the convenience of both the Superintendent and the prisoner?

Babu Bhagwati Sahai Bedar : What is the difference between separate confinement and solitary confinement ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the dictionary.

Lala Nemi Saran : Is Government going to inquire from the Superintendent if under the rules he can keep a prisoner in a separate cell for more than a week at a time ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think that under section 28 of the Prisons Act the Superintendent has power to keep a prisoner separate.

Mr. A. P. Dube : Does the Hon'ble the Home Member mean to suggest that under this section the Superintendent can put a man to solitary confinement although this is not enforced upon him by the law ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This was not solitary confinement, but the Superintendent wanted to keep him separate from the other prisoners.

Chaudhri Vijai Pal Singh : Will the Hon'ble the Home Member tell us whether he could not be kept in any other barrack ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I looked into the matter. The position is that when the Superintendent decided to keep him separately, he was asked whether he would like to have a separate cell or the condemned prisoner's cell and he himself preferred to have a separate cell ; so it was given to him.

Chaudhri Vijai Pal Singh : Is it not a fact that he had to make his choice between a condemned prisoner's cell and a solitary cell ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Babu Bhagwati Sahai Bedar : Is the Government aware that no prisoner can be kept for more than a week at a time in a solitary cell ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not remember the rule at the moment.

Lala Nemi Saran : What was the reason for keeping him in a separate cell ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I would like further notice. It may have been because this prisoner incited the hunger-strike—I do not know for certain.

Chaudhri Vijai Pal Singh : Why did not the Inspector General inquire from the Superintendent before hand whether there was separate accommodation available or not ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This is rather an unusual question—we do not usually inquire beforehand when we do not know what the developments are likely to be later on.

Babu Bhagwati Sahai Bedar : Is the Hon'ble the Home Member aware that section 28 applies only to prisoners when they commit any jail offence. Without any reason whatever can the Superintendent put a prisoner in a solitary cell ?

(No answer was given.)

* 37. **Chaudhri Vijai Pal Singh**: Is it also a fact that though he had given up his hunger-strike on April 23, 1927, and drank milk on his own accord on the 23rd, yet the Superintendent of the jail insisted on his being forcibly fed on April 24 and 25?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer is in the negative.

POST OF RESERVE INSPECTOR OF POLICE.

* 38. **Rai Bahadur Lala Mathura Prasad Mehrotra**: (a) Is it a fact that only eight out of 74 posts of reserve inspector of police are held by Indians?

(b) If so, how many years did it take to make room for eight appointments for Indians, and how much time will it take to give at least 50 per cent. of these posts to Indians?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) No. Eleven posts are held by Indians.

(b) It has taken three years to train and appoint eleven Indians. The undertaking given is to make twenty-five appointments (approximately 33 per cent. of the posts of reserve and divisional inspector) as soon as Indians can be selected and trained.

Three more appointments are shortly due and six other officers are under training. It is impossible to accelerate these appointments further. Acceleration would unduly affect the prospects of sergeants already in the service and would also create a block in the promotion of the Indian officers.

Khan Bahadur Hafiz Hidayat Husain: What special training is needed for the post of reserve inspector?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: They are sent for training for one year.

Rai Bahadur Lala Mathura Prasad Mehrotra: What is the total number of inspectors in training at present, and where?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: If the honourable member will look at the second part of the reply he will find the answer.

Babu Sampurnanand: What is the reason for training?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The reason may be that they have first to be selected, then trained, and then appointed.

Babu Sampurnanand: Why was not a larger number taken for training?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Perhaps they could not find the right type of men. The reply shows that eleven posts are held by Indians, six officers are under training and three more appointments are shortly due. That makes 20, and I do not think it is worth while accelerating these appointments further at the cost of efficiency.

PERMANENT BUILDING FOR THE OFFICE OF THE CO-OPERATIVE
DEPARTMENT.

***39. Rai Bahadur Lala Mathura Prasad Mehrotra:** (a) Is the Government aware that the Oakden Committee has recommended the provision of a permanent building for the office of the Co-operative department?

(b) If so, what action do the Government propose to take to give effect to this recommendation, and how long will it take to expedite it?

The Hon'ble Thakur Rajendra Singh: (a) Yes.

(b) Government have approved the plans and estimates for a building for the Registrar, Co-operative Societies. The project has been included in the building programme and awaits the provision of necessary funds.

***40. Rai Bahadur Lala Mathura Prasad Mehrotra:** (a) Is it a fact that the Co-operative department has changed its office building twice during the last six months for want of suitable accommodation?

(b) If so, will the Government be pleased to consider the desirability of giving the present Council Chamber or any other permanent building to the department?

The Hon'ble Thakur Rajendra Singh: (a) Yes.

(b) The honourable member is referred to the answer given to part (b) of question No. 39 today.

HONORARY BENCH AND SPECIAL MAGISTRATES IN
SITAPUR DISTRICT.

***41. Rai Bahadur Lala Mathura Prasad Mehrotra:** Will the Government be pleased to lay a statement on the table with the names of the honorary bench and special magistrates in Sitapur district, showing their amount of (1) income-tax, (2) land revenue, (3) tax on circumstances and property, if any, (4) period of appointment, (5) average number of cases disposed of per year (in case of special magistrates, if any), and (6) meritorious services rendered?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement giving the information under heads (1) to (5) of the honourable member's question is laid on the table. As regards the meritorious services rendered by the 29 gentlemen concerned, Government consider that merit is a matter of opinion.

(See Appendix D, page 223.)

Lala Nemi Saran: May I understand from the statement here that where dots are given in the column of income-tax and land revenue it means nil?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I think so.

Lala Nemi Saran: Has the attention of the Government been drawn to the fact that there are certain honorary magistrates, as disclosed by this list, who pay neither income-tax nor land revenue nor a tax on circumstances and property? I refer to No. 28 on the list for instance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I know this gentleman myself. The reason no property is given against his name is probably due to the fact that the property is all in his father's name.

Babu Bhagwati Sahai Bedar : Is it a fact that they have property in some other districts?

Mr. A. P. Dube : The Hon'ble the Home Member says that the property is not shown as it may be in his father's name. Perhaps the father also has no property?

The Hon'ble the President : That does not arise out of the question.

Chaudhri Vijai Pal Singh : What about No. 17?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot discuss individual cases in a matter like this.

PROSECUTION OF MAGISTRATES OR JUDICIAL OFFICERS.

*42. **Mr. Zahur Ahmad :** Will the Government be pleased to state whether there has been any prosecution of any magistrate or judicial officer for offences described in sections 163 and 167 of the Indian Penal Code? If so, how many such cases have been prosecuted, and when?

*43. If the reply to the foregoing question is in the negative, will the Government consider the advisability of taking advantage of the sections in a proper case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I remember no cases recently, nor has the office been able to discover any reports of such cases. If complaints are received, they will be suitably dealt with.

PROSECUTIONS BY THE SUB-INSPECTOR OF NAWABGANJ THANA.

*44. **Babu Ganesh Shankar Vidyarthi :** Will the Government please state—

- (a) How many prosecutions under section 34 of the Police Act were instituted by the present sub-inspector of Nawabganj thana in the first quarter of this year?
- (b) How many prosecutions under the same section were proceeded with in the same thana in the quarter ending on December 31, 1926?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Sixty.

(b) One.

MR. SURESH CHANDRA BHATTACHARYA AND MR. RAM KISHAN KHATTRI.

*45. **Babu Ganesh Shankar Vidyarthi :** (a) Is it a fact that Mr. Suresh Chandra Bhattacharya and Mr. Ram Kishan Khattri, accused of the Kakori conspiracy case, were on hunger-strike in Agra Central Jail in the first half of April?

(b) Is it further a fact that Pandit Visheshwar Dayal Chaturvedy, a respectable citizen of Agra and the representative of *Sainik*, wrote to the Superintendent of the central jail asking him to allow him an interview in order to know the condition of the hunger-strikers, but the Superintendent wrote in reply that he had no information to give?

(c) Will the Government be pleased to lay the correspondence on the Council table?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Yes.

(c) Copies of the correspondence are laid on the table.

(See Appendix E, page 225.)

Thakur Manjit Singh Rathor : Do Government approve of the reply given by the Superintendent of the Central Prison, Agra, to the representative of the "*Sainik*" ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I see nothing objectionable there.

Thakur Manjit Singh Rathor : Is it the intention of Government that newspaper men should not get necessary information when an incident of such a nature occurs in a jail ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Our non-official visitors are the proper persons to get all this information. We cannot ask the Jail Superintendents to give information to every member of the public like this.

Thakur Manjit Singh Rathor : Is it a fact that the non-official visitors are requested to visit the jails only in particular months ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think there is a sort of rotation. They are requested to visit in particular months, but they can go at any time.

Babu Bhagwati Sahai Bedar : Was it a fact that the Superintendent had really no information to give, or did he conceal it ?

The Hon'ble the President : I cannot allow this insinuation to be made.

Chaudhri Vijai Pal Singh : May I ask the Hon'ble the Home Member whether any instructions were issued to the Superintendents of jails to the effect that non-official jail visitors cannot see these Kakori prisoners without the permission of the Superintendents ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Pandit Govind Ballabh Pant : Is it a fact that the question of hunger-strike of Kakori prisoners had attracted an amount of public attention and had been agitated in the public press about the time this inquiry was made by the editor of the "*Sainik*" ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Possibly.

Pandit Govind Ballabh Pant : Is it then the policy of Government that even in a matter affecting the jails which has engaged an amount of public attention and has aroused an amount of public agitation if a responsible editor of a paper approaches the jail authorities for information, that information should be withheld ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I require further notice for such a question. In fact, my honourable friend was absent on Saturday ; he ought to have put these questions then. But he missed them and so he is asking them now.

Pandit Govind Ballabh Pant: I have given one day's more time to the Hon'ble the Home Member and he should have been in a better position to reply now. I hope he will not blame me for making a fuss unnecessarily of anything on the floor of the House as he did in the case of one of my colleagues.

Chaudhri Vijai Pal Singh: Will the Hon'ble the Home Member inquire from the Superintendent, Meerut Jail, under what provisions he did not allow me to visit Prem Krishen Khanna, prisoner?

The Hon'ble the President: This does not arise out of the question which concerns two other prisoners only.

LONDON MISSION HIGH SCHOOL, BENARES.

***46. Pandit Iqbal Narayan Gurtu:** (a) Is it a fact that in pursuance of the decision of the authorities of the London Mission the London Mission High School, Benares, has been or will be soon closed?

(b) Is it a fact that the said school being situated on the western boundary of Benares where no other day school exists has for several decades served the educational needs of a large area of rural and urban population, the latter mostly consisting of Government servants and educated professional and commercial classes?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) Yes.

Pandit Iqbal Narayan Gurtu: Am I to understand from the reply of the Hon'ble Minister where he says "No" that the London Mission authorities continue to run the school at present?

The Hon'ble Rai Rajeshwar Bali: They will have a vernacular middle school with high school classes and special classes attached to it.

Pandit Iqbal Narayan Gurtu: I am afraid the Hon'ble Minister has not caught my point. My question was "Are the authorities of the London Mission running the school at present, or have they closed it so far as they are concerned?"

The Hon'ble Rai Rajeshwar Bali: They are running it at present.

Pandit Iqbal Narayan Gurtu: My question was:—"Are they going to close the school, or will it soon be closed?"

The Hon'ble Rai Rajeshwar Bali: The London Mission authorities, I believe, have sold the school to the Wesleyan Mission.

Pandit Iqbal Narayan Gurtu: The Hon'ble Minister's answer to my question is "No".

The Hon'ble Rai Rajeshwar Bali: But the school is not going to be closed.

Pandit Iqbal Narayan Gurtu: So far as the authorities of the London Mission are concerned they have closed the school?

The Hon'ble Rai Rajeshwar Bali: They have sold it to the other mission.

***47. Pandit Iqbal Narayan Gurtu:** Is it a fact that the management of the said school have decided to transfer the school and hostel buildings to the Wesleyan Methodist Mission who are going to keep the high school classes only for one year and then run the institution as a

middle vernacular school with some provision for Manual Training and for teaching Elementary English?

The Hon'ble Rai Rajeshwar Bali : No.

Pandit Iqbal Narayan Gurtu : The Hon'ble Minister says "No" in answer to my question. May I invite his attention to the answer that he gave on June 27 to question No. 24 put by Babu Sampurnanand where he asked the Government "Is it a fact that the Wesleyan Mission do not propose to maintain it as a high school." The Hon'ble Minister said "Yes after 1927-28." Which of these answers correctly states the facts?

The Hon'ble Rai Rajeshwar Bali : The position has changed since. The Wesleyan Mission now propose to maintain it as a vernacular middle school with high school classes.

* 48. **Pandit Iqbal Narayan Gurtu :** Is it a fact that the authorities of the London Mission School, Benares, had assured His Excellency Sir William Marris on the occasion of his visit to the place in August, 1924, that they looked upon the work of an important high school like theirs as an essential part of their work and that the staff shall not be withdrawn until adequate and satisfactory arrangements were made for the continuance of that work by some responsible body?

The Hon'ble Rai Rajeshwar Bali : The statement is substantially correct.

* 49. **Pandit Iqbal Narayan Gurtu :** (a) Is it a fact that the contemplated transfer of the school buildings—constructed mainly with the support of local donors and with substantial Government grants—to a body which will discontinue the high school has caused considerable anxiety and deep resentment among the citizens of Benares, both Hindus and Muhammadans?

(b) Is it a fact that on the ground abovementioned several memorials and representations from residents of the neighbouring areas have been submitted to the Government, and a number of public meetings of influential citizens of Benares and of guardians have been held protesting against the contemplated action of the authorities of the London Mission School?

The Hon'ble Rai Rajeshwar Bali : Government have received representations and memorials expressing anxiety regarding the future of the school.

* 50 **Pandit Iqbal Narayan Gurtu :** (a) Will the Government be pleased to give a detailed statement showing the items of non-recurring grants given from time to time by the Government to the London Mission School for building purposes during the last 20 years and the conditions on which such grants were given?

(b) What portion of such grants is the Government entitled to recover from the London Mission Society under the rules as laid down in the Education Code and according to the conditions stipulated with them?

(c) What steps has the Government taken to ensure its prior lien upon the buildings for the recovery of the amount that may be returnable to it?

The Hon'ble Rai Rajeshwar Bali : (a) A statement is laid on the table of the honourable member.

(b) and (c) Hypothecation deeds have been executed. According to these deeds a portion of the grants is recoverable if within a period of

20 years from the date on which they were sanctioned the property is used for any other than educational purposes or purposes legitimately concerned with the maintenance of the Benares London Mission high school in accordance with the objects for the carrying out of which the school was instituted.

(See Appendix F, page 225.)

Pandit Iqbal Narayan Gurtu : I have not received any answer from the Government.

The Hon'ble Rai Rajeshwar Bali : I have explained it in (b) and (c).

Pandit Iqbal Narayan Gurtu : My question was "what steps have Government taken to ensure its prior lien upon the buildings for the recovery of the amount that may be returnable to it." No answer was given to this question.

The Hon'ble Rai Rajeshwar Bali : There is the hypothecation deed.

Pandit Iqbal Narayan Gurtu : Yes, under the hypothecation deed they are bound to return the money if it is used for purposes which are not legitimately concerned with the maintenance of the school. The school was an Anglo-Vernacular high school and I understand they propose to turn it into a vernacular final school—quite a different purpose. Does the Government think or not that it is entitled under the agreement to ask for a refund? If so, what steps have they taken so far?

The Hon'ble Rai Rajeshwar Bali : That is a legal question whether hypothecation applies in this case or not. It will be found that as they maintain high school classes it cannot be said very clearly whether this applies or not. This is a legal question.

Pandit Iqbal Narayan Gurtu : My question was "what steps have Government taken to ensure its prior lien upon the building for the recovery of the amount?"

The Hon'ble Rai Rajeshwar Bali : If we find on an examination of the legal position that we can get the money refunded then there is the hypothecation deed. I do not think any further steps are needed now.

Pandit Iqbal Narayan Gurtu : I sent this question in June last. So many months have now passed. Have Government taken any steps to find out what the legal position is?

(No answer was given.)

Pandit Iqbal Narayan Gurtu : Is the Government now satisfied that it has a prior lien upon the buildings?

The Hon'ble Rai Rajeshwar Bali : The position is not yet quite clear.

Pandit Iqbal Narayan Gurtu : What steps do the Government intend taking in the circumstances?

The Hon'ble Rai Rajeshwar Bali : As I have already stated, hypothecation deeds have been executed, according to which a portion of the grants is recoverable under certain conditions. In any case the whole matter is under consideration.

Pandit Iqbal Narayan Gurtu : What matter is under consideration—one with regard to the funds or the one relating to the future character of the school?

The Hon'ble Rai Rajeshwar Bali : The one regarding the future character of the school.

Pandit Iqbal Narayan Gurtu : What about the one about funds ?

The Hon'ble Rai Rajeshwar Bali : That, too, will be considered.

*51. **Pandit Iqbal Narayan Gurtu :** (a) Is it a fact that the municipal board, Benares, recognizing the strength of the demand of both the Hindu and the Muhammadan public, has unanimously resolved to take over the institution and continue it as an Anglo-Vernacular high school if the Government be prepared to continue their recurring grant and to help the board in acquiring the present grounds and buildings of the school on payment to the London Mission Society of a reasonable compensation for any contributions actually made by it out of its own special funds towards the construction of the said buildings ?

(b) Is it a fact that the municipal board has appointed a strong committee to move the Government in the matter through its chairman ?

The Hon'ble Rai Rajeshwar Bali : A copy of the resolution of the board is placed on the table of the honourable member.

(See Appendix G, page 22 5.)

* 52. **Pandit Iqbal Narayan Gurtu :** Is it a fact that the principal of the school in his last decennial report to the London Mission Society has clearly stated that the extensions of school buildings and hostel have been made almost entirely out of public donations, government grants and savings from fees without any financial contribution by the London Mission Society out of its own funds.

The Hon'ble Rai Rajeshwar Bali : The manager reports as follows :—

“ We have no copy of the decennial report to refer to, but while no doubt local subscriptions received were gratefully acknowledged, we cannot believe that it was stated that the extensions of the school buildings and hostel were made ‘ without any financial contribution by the London Missionary Society out of its own funds.’

The London Missionary Society were the original purchasers of the buildings and the land, and the only substantial donations received from the public were towards the buildings and furnishing of the latest addition to the property, the new hostel. The figures for the hostel are as follows :—

	Rs.
Received from the public	2,093
Given by the London Missionary Society ...	15,777”

Pandit Iqbal Narayan Gurtu : Is the Hon'ble Minister aware that the questioner has a copy of the decennial report and can hand it to him, in case he wishes to see it ?

The Hon'ble Rai Rajeshwar Bali : I am thankful to the honourable member, but the manager reported that there was no copy of the decennial report available.

Pandit Iqbal Narayan Gurtu : Will the Hon'ble Minister kindly reconsider the position when he gets further information from the decennial report ?

The Hon'ble Rai Rajeshwar Bali : Yes.

Pandit Iqbal Narayan Gurtu : Is it a fact that the Director of Public Instruction went to Benares on July 30 1927, and received a deputation consisting of influential citizens of Benares ?

The Hon'ble Rai Rajeshwar Bali : Yes, I am informed that he went to Benares on that date.

Pandit Iqbal Narayan Gurtu : Has the Director of Public Instruction submitted any report to the Hon'ble Minister of the conversation which he had with those who attended him ?

The Hon'ble Rai Rajeshwar Bali : Yes, he has.

Pandit Iqbal Narayan Gurtu : Is the Hon'ble Minister now considering the Director's report ?

The Hon'ble Rai Rajeshwar Bali : Yes.

Pandit Iqbal Narayan Gurtu : May I draw the attention of the Hon'ble Minister to that portion of the report where it is suggested that the Wesleyan Mission authorities might be allowed to run it as a vernacular final school and at the same time as an Anglo-Vernacular high school ?

The Hon'ble the President : I am afraid this question does not arise.

Pandit Iqbal Narayan Gurtu : Is the Hon'ble Minister of opinion that any school can run a middle vernacular school and at the same time an Anglo-Vernacular school ?

The Hon'ble Rai Rajeshwar Bali : That is a matter of opinion, and, moreover, as I have said, the whole matter is under consideration.

* 53. **Pandit Iqbal Narayan Gurtu :** How does Government propose to deal with the request of the municipal board, Benares, in the matter ?

The Hon'ble Rai Rajeshwar Bali : The matter is under consideration.

HONORARY ASSISTANT COLLECTOR OF HARDOI.

* 54. **Pandit Rahas Bihari Tiwari :** Is it a fact that an honorary assistant collector of Hardoi was found by the late Judicial Commissioner's Court of Oudh, by their judgement reported in 2, Oudh Weekly Notes, page 601, as well as in 12, *Oudh Law Journal*, page 453, to have been guilty of committing fraud ?

* 55. Is it a fact that the said court in the same judgement found the conduct of the said honorary assistant collector analogous to that of Pooh Bah in Gilbert's " Mikado " ?

* 56. Is it a fact that once more the Chief Court in their judgement delivered on August 9, 1926, in first civil appeal No. 18 of 1925, disbelieved the same honorary assistant collector as a witness and remarked that his evidence could not be trusted ?

Will the Government be pleased to state if this gentleman is still an honorary assistant collector ?

The Hon'ble Sir Sam O'Donnell : The remarks mentioned occur in a judgement of the Court of the late Judicial Commissioner of Oudh, dated March 25, 1925. The decree was made contingent on payment by the plaintiff of Rs. 35,000 odd within three months. His failure to pay

in the money deprived the gentleman in question of the opportunity, for which he had applied to the Judicial Commissioner's Court, of having the judgement set aside by the Privy Council. The Court did not think fit to take any disciplinary action against the gentleman in question as a vakil. The gentleman is still an honorary assistant collector, in which capacity his work is reported to be extremely good.

Chaudhri Vijai Pal Singh : Will Government state the name of this honorary assistant collector ?

The Hon'ble the President : I deprecate the bringing in of names unnecessarily on the floor of the House in this manner.

RECRUITMENT TO VETERINARY ASSISTANT SURGEON CLASS.

***57. Pandit Rahas Bihari Tiwari :** (1) Will the Government be pleased to state—

(a) the number of Hindu, Muhammadan and Christian veterinary assistant surgeons and veterinary inspectors employed in these provinces with permanent places of their residence ;

(b) the number of Hindu, Muhammadan and Christian candidates selected for training in veterinary colleges for the last five years ?

(2) Do Government intend to introduce a competitive examination for selection of candidates for admission to the veterinary assistant surgeon class ?

The Hon'ble Thakur Rajendra Singh : An answer will be given at a later date.

BRIDGE OVER THE GHAT OF KHO.

***58. Hafiz Muhammad Ibrahim :** Do Government intend to construct some sort of bridge over the *ghat* of Kho between Dhampur and Sherkot ?

The Hon'ble Nawab Muhammad Yusuf : The answer is in the negative.

Hafiz Muhammad Ibrahim : Will the Hon'ble Minister state the reasons ?

The Hon'ble Nawab Muhammad Yusuf : It is the primary duty of the district board to move in the matter.

VERNACULAR EDUCATION IN RURAL AREAS.

***59. Pandit Iqbal Narayan Gurtu :** (a) What steps has Government so far taken to provide facilities in rural areas for vernacular education in the high stage.

(b) Does Government intend to make a beginning in this direction by opening in normal schools high school classes teaching a two years' course in vernacular ?

(c) Does Government intend to confine the period of training in the theory and methods of teaching in normal schools only to one year in case of persons who will have passed the high school vernacular examination ?

The Hon'ble Rai Rajeshwar Bali : (a) None so far.

(b) Government are revising the courses in normal schools ; the honourable member's suggestion will be examined in this connexion.

(c) Government will examine the question if and when a high school vernacular examination is instituted.

SEPARATION OF THE OFFICES OF SECRETARY TO GOVERNMENT AND
CHIEF ENGINEER.

*60. **Mr. C. Y. Chintamani:** (a) Will the Hon'ble Minister for Local Self-Government lay on the table official papers relating to the separation of the offices of Secretary to Government and Chief Engineer, Buildings and Roads, since the publication of Government's resolution on the report of the committee on the reorganization of the Public Works department?

(b) In respect of the separation that has been effected was the initiative taken by the Local Government or the Government of India and for what reason?

(c) What is the financial effect of the separation?

The Hon'ble Nawab Muhammad Yusuf: (a) This is not permissible under the standing orders, since the important papers consist of correspondence between this Government, the Government of India and the Secretary of State.

(b) The proposal for the separation of the two offices was initiated by the Public Works department Reorganization Committee appointed by the Government of India in November 1916, but the committee preferred to make no recommendations in the matter. The question was later considered by the United Provinces Public Works Department Committee appointed by this Government in the year 1922. The majority of this committee were not in favour of the separation, and the Government were of opinion that on the grounds of economy the proposal could not at that juncture be justified. Subsequently the Government of India addressed this Government on the matter in July 1925, since they considered it of an importance sufficient to justify them in placing their views regarding it before local Governments, though realizing that the matter was mainly one of internal administration for local decision in each case. This Government then reviewed the position and decided to separate the two posts in order to secure for the Chief Engineer sufficient time for his departmental duties and for Government a non-departmental examination of cases which come before them.

(c) The present office arrangements are unlikely to continue and it is not yet known what allowances will be admissible. It is impossible, therefore, to say what the final effect will be; as arrangements stand at present, there is a saving of Rs. 200 per mensem.

Mr. C. Y. Chintamani: As regards (a), is it open to this Government to apply to the Government of India for sanction to publish the correspondence?

The Hon'ble Nawab Muhammad Yusuf: Yes.

Mr. C. Y. Chintamani: Has this Government made any such application?

The Hon'ble Nawab Muhammad Yusuf: No.

Mr. C. Y. Chintamani: Do the Government intend to make such an application?

The Hon'ble Nawab Muhammad Yusuf: I am afraid at this stage no useful purpose will be served.

Mr. C. Y. Chintamani: If useful purpose will be served, will the Hon'ble Minister be prepared to apply?

The Hon'ble Nawab Muhammad Yusuf: If there are sufficient reasons.

Mr. C. Y. Chintamani: As regards (c), does the Chief Engineer continue to draw the allowance which he used to do as Secretary to Government in the Public Works department?

The Hon'ble Nawab Muhammad Yusuf: He used to draw Rs. 250 as allowance.

Mr. C. Y. Chintamani: Does he continue to get that allowance?

The Hon'ble Nawab Muhammad Yusuf: No.

Mr. C. Y. Chintamani: What is the present position of the Personal Assistant to the Chief Engineer and Under Secretary, Public Works department, Buildings and Roads branch?

The Hon'ble Nawab Muhammad Yusuf: The same as before.

Mr. C. Y. Chintamani: Is he the Under Secretary, Public Works department, and at the same time Personal Assistant to the Chief Engineer.

The Hon'ble Nawab Muhammad Yusuf: No.

Mr. C. Y. Chintamani: Then how do you say he is in the same position as before?

The Hon'ble Nawab Muhammad Yusuf: So far as the relation of the Secretary, Public Works department, to the Under Secretary is concerned.

Mr. C. Y. Chintamani: Decidedly. Is this officer now Personal Assistant to the Chief Engineer and at the same time Under Secretary to the Secretary as was the case before?

The Hon'ble Nawab Muhammad Yusuf: No.

Mr. C. Y. Chintamani: Then what is the present arrangement?

The Hon'ble Nawab Muhammad Yusuf: He is the Personal Assistant to the Chief Engineer only.

Mr. C. Y. Chintamani: Then he is not Under Secretary?

The Hon'ble Nawab Muhammad Yusuf: No.

Mr. C. Y. Chintamani: Does he get the same allowance which he used to get for holding the combined office?

The Hon'ble Nawab Muhammad Yusuf: That is under consideration.

Mr. C. Y. Chintamani: Is the Hon'ble Minister aware that several months ago in reply to this identical question he said the matter was under consideration? Is he not in a position to say for how many months more this question is to be under consideration.

The Hon'ble Nawab Muhammad Yusuf: It is difficult at this stage to make up our mind without knowing what the real work will be and whether we shall require a fresh revision of the staff.

Mr. C. Y. Chintamani: Has not the work been reduced by the fact that he is no longer Under Secretary?

The Hon'ble Nawab Muhammad Yusuf: It is difficult to say at this stage.

RESUMPTION BY THE GOVERNMENT OF CONTROL OVER ROADS.

*61. **Mr. C. Y. Chintamani:** (a) Will the Hon'ble Minister lay on the table the full texts of the opinions of district boards on the recent circular letter relating to the resumption by the Government of control over roads?

(b) Were the Government's proposals placed for consideration before (i) this Council's advisory committee on local self-government, (ii) the Board of Communications, and (iii) the Finance Committee?

(c) If "yes" did the first two approve of the proposals?

(d) Will the opinions of the first two be placed on the table?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes, when all have been received.

(b) No.

(c) and (d) Do not arise.

Mr. C. Y. Chintamani: Will the Hon'ble Minister be pleased to lay on the table, or publish for general information, the opinions so far received?

The Hon'ble Nawab Muhammad Yusuf: The honourable member is referred to the answer to question No. 61 (a). When we receive all the opinions from district boards, I will place them on the table.

Mr. C. Y. Chintamani: My question is whether he will consider the advisability of publishing the opinions so far received without waiting for the remaining opinions to be received?

The Hon'ble Nawab Muhammad Yusuf: Yes.

Raja Jagannath Bakhsh Singh: Has the Government fixed any date by which all the opinions should be received?

The Hon'ble Nawab Muhammad Yusuf: We have reminded them to send in their opinions at once.

Raja Jagannath Bakhsh Singh: But a date has not been fixed?

The Hon'ble Nawab Muhammad Yusuf: I doubt it: I do not think so.

Mr. C. Y. Chintamani: Within what time will the Hon'ble Minister be pleased to carry out the undertaking given in reply to my last supplementary question that he will publish the opinions so far received?

The Hon'ble Nawab Muhammad Yusuf: I have already said I have no objection.

Pandit Govind Ballabh Pant: Why have the Government not published the opinions received so far?

The Hon'ble Nawab Muhammad Yusuf: Because the Government would prefer to publish all opinions together.

Pandit Govind Ballabh Pant: Is it the intention of the Government to bury the opinions and not to publish them?

(No reply.)

Mr. C. Y. Chintamani: Will the Hon'ble Minister please enlighten us upon the point which of his answers stand—whether he will publish the opinions so far received, or whether he will not publish them?

The Hon'ble the President: That would be a matter of inference.

Mr. C. Y. Chintamani: Clause (b). For what reason have not the Government asked for the opinion of the Board of Communications upon a matter peculiarly within the province of this Board?

The Hon'ble Nawab Muhammad Yusuf: That was a tentative measure: it was hardly a scheme to be placed before the Board of Communications.

Mr. C. Y. Chintamani: Will the Government consult the Board of Communications at a certain stage before publication?

The Hon'ble Nawab Muhammad Yusuf: Yes.

VILLAGE PANCHAYATS.

* 62. **Mr. C. Y. Chintamani:** (a) Why have the Government stopped the publication of an annual resolution on village panchayats?

(b) Is it their intention to resume such publication?

The Hon'ble Nawab Muhammad Yusuf: (a) Because it did not appear from the annual reports on the working of village panchayats that there was sufficient material to justify the publication of an annual resolution.

(b) Not for the present.

* 63. **Mr. C. Y. Chintamani:** How many suits and cases did panchayats try in 1925-26?

The Hon'ble Nawab Muhammad Yusuf: The honourable member is referred to the answer given to starred question No. 4 for October 29, 1927, of Babu Ganesh Shankar Vidarthi.

Copy of starred question No. 4 asked by BABU GANESH SHANKAR VIDYARTHI SAHIB and the reply given on October 29, 1927, referred to in answer to starred question No. 63 for October 31, 1927.

QUESTION.

*4. (a) Will the Government be pleased to state how many village panchayats under the United Provinces Village Panchayats Act, 1920, are at present working in the province?

(b) How many cases did they try in the year 1925-26?

(c) How many of them were criminal and how many civil?

(d) How many of them were compromised?

(e) How many panchayats have got their village funds?

(f) What is the total amount of these village funds?

ANSWER.

*4. (a) 4,772 panchayats are at present working in the province.

(b) and (c) 1,24,606 cases were tried during the years 1925 and 1926, out of which 96,644 were criminal and 87,962 were civil.

(d) 50,723 cases were compromised.

(e) All the panchayats have got their village funds under section 63 of the United Provinces Village Panchayats Act, VI of 1920.

(f) The total amount of village funds in the province is Rs. 1,96,768-12-3.

* 64. **Mr. C. Y. Chintamani:** Have Government adopted or have they in contemplation any active measures to develop and expand the

system of village panchayats in the whole or in any part of the United Provinces? If yes, what is the nature of such measure? If no, why not?

The Hon'ble Nawab Muhammad Yusuf: The system of village panchayats has been working in every district of the province for some years past and in most districts shows slow but steady progress. It does not seem desirable yet to accelerate the development and expansion of the system by pressure from outside; but the question is considered annually on the receipt of the district reports.

ESTABLISHMENT OF A HIGH GRADE TECHNICAL SCHOOL.

* 65. **Mr. C. Y. Chintamani:** (a) When will the Government establish a high grade technical school (embracing, or apart from the Government Carpentry school) at Allahabad, such as was indicated by the late Governor in his address to the Board of Industries in 1921 for headquarters of divisions?

(b) If they have no such intention, why not?

The Hon'ble Thakur Rajendra Singh: The Government Carpentry school at Allahabad is giving both theoretical and practical technical instruction of a high grade. There is a good aided leather working school at Allahabad and Government are considering the question of opening classes for printing.

Technical schools have been opened at the divisional headquarters mentioned in Sir Harcourt Butler's speech, viz., Agra, Meerut and Fyzabad. A technical school has also been opened at Naini Tal. All the divisional headquarters have now technical schools.

SCHOOL FOR PRINTERS IN THE UNITED PROVINCES.

* 66. **Mr. C. Y. Chintamani:** Is it the Government's intention to open a school for printers anywhere in these provinces? Where and when is it to be opened? Will Government give particulars thereof?

The Hon'ble Thakur Rajendra Singh: The matter is under consideration.

DISTRICTS SELECTED FOR INTENSIVE CO-OPERATIVE WORK.

* 67. **Mr. C. Y. Chintamani:** (a) Is it a fact that the district of Partabgarh has been selected for "intensive" co-operative work? Will Government give particulars thereof?

(b) What other districts have been selected for similar work and what progress has been made in each of them?

The Hon'ble Thakur Rajendra Singh: An assistant has been put in charge exclusively of the Partabgarh district and effort is being made to educate two or three members in each co-operative society so as to enable them to do the work of secretary if necessary. The object is to displace group secretaries by teacher or member-secretaries. A union of representatives of a group of societies has been formed and attempts are being made to introduce agricultural improvements and thrift societies. It is too early yet to say whether the experiment will be successful or not. Without further experience it is not proposed to try this experiment elsewhere.

*68 to 71. **Babu Bhagwati Sahai Bedar** : [*Withdrawn by the honourable member.*]

IMPROVEMENT TRUST, ALLAHABAD.

*72. **Mr. Zahur Ahmad** : Is the Government aware that there is a great feeling among a section of people at Allahabad against the Allahabad Improvement Trust regarding their action of digging two graveyards containing pakka graves?

The Hon'ble Rai Rajeshwar Bali : No graveyards containing pakka graves were dug up during the operations of the Allahabad Improvement Trust. The facts are that some bones were discovered in Beli while the ground was being levelled and that some low caste Hindus said that the land had been used by their ancestors as a graveyard. This land was at once left untouched and converted into a small garden.

*73. **Mr. Zahur Ahmad** : If the answer of the foregoing question is in the affirmative, do Government intend to issue orders to restore the graveyards to the community to which they belong?

The Hon'ble Rai Rajeshwar Bali : Does not arise.

*74. **Mr. Zahur Ahmad** : Have the Government received representations and proceedings of meetings of the people of Allahabad against the proposed scheme of Allahabad Improvement Trust?

The Hon'ble Rai Rajeshwar Bali : Two memorials were received from certain of the inhabitants of Allahabad with reference to some of the schemes of the improvement trust.

*75. **Mr. Zahur Ahmad** : Do Government intend to take any action on them?

The Hon'ble Rai Rajeshwar Bali : The memorials have been considered and the Government do not intend to take any action with regard to them.

SALARY OF DEPUTY REGISTRARS OF CO-OPERATIVE SOCIETIES.

*76. **Rai Bahadur Lala Mathura Prasad Mehrotra** : (a) What is the monthly salary of the two deputy registrars, co-operative societies, and on what principles is it calculated?

(b) Will the Government be pleased to state if there is any difference between the salaries of the two deputies and, if so, what are the reasons?

(c) Has the Government approved of the recommendations of the Oakden Committee in this matter and abolished the listed rank of the post?

(d) If the answer to part (c) is in the negative, what are the reasons for the part acceptance only?

The Hon'ble Thakur Rajendra Singh : (a) and (b) The old post of the deputy registrar is included in the cadre of magistrates and collectors and carries the pay of that rank *plus* an allowance of Rs. 150 per mensem.

The new post has been created on a special pay of Rs. 1,000—50—1,500.

(c) and (d) The new post has not been included in the cadre of the magistrates and collectors, but it would have been unfair to abolish the

existing rank of the old post as it would mean a reduction in the emoluments of the present incumbent which he has enjoyed for so long.

Pandit Nanak Chand : Does the Hon'ble Minister contemplate appointing another deputy registrar in place of the present officer occupying the old post of the deputy registrar on the salary recommended by the Oakden Committee?

The Hon'ble Thakur Rajendra Singh : At present there is no such intention.

GRANT BY DISTRICT BOARDS TO PATHSHALAS AND MAK TABS IN BUDAUN AND ELSEWHERE.

***77. Khan Bahadur Shaikh Saiyid Muhammad :** (1) Will the Government be pleased to state how many district boards are financing—

(a) the local pathshalas ;

(b) the local mak tabs ?

(2) If the answer of part (b) be in the negative, why ?

(3) Is the Government aware that the district board, Budaun, sanctioned Rs. 7,000 for local pathshalas ?

The Hon'ble Rai Rajeshwar Bali : (1) (a) Twenty-seven.

(b) Forty-five.

(2) Does not arise.

(3) No. The board has provided Rs. 6,500 for Hindu pathshalas in the current financial year.

***78. Khan Bahadur Shaikh Saiyid Muhammad :** (a) Will the Government be pleased to state how many times within the last three years has the Muhammadan Educational committee requested the district board, Budaun, for financial aid and what were the dates of the request ?

(b) On what date was the grant for pathshalas sanctioned by the district board, Budaun ?

The Hon'ble Rai Rajeshwar Bali : (a) Four times between 1924 and 1927. Government are not aware of the exact dates.

(b) December 20, 1926.

***79. Khan Bahadur Shaikh Saiyid Muhammad :** Will the Government be pleased to explain the reasons for the refusal to grant even a single pie to the maktab committee and for sanctioning a munificent grant to the pathshalas ?

The Hon'ble Rai Rajeshwar Bali : The board pays grants-in-aid to mak tabs.

***80. Khan Bahadur Shaikh Saiyid Muhammad :** Will the Government be pleased to direct the district board, Budaun, to grant aid to the maktab committee for the upkeep of the mak tabs ?

The Hon'ble Rai Rajeshwar Bali : The board has provided Rs. 3,144 in the current year for grants-in-aid to mak tabs.

TRAINED UNDER-GRADUATES.

***81. Khan Bahadur Shaikh Saiyid Muhammad :** Will the Government be pleased to state why trained under-graduates in government schools who after graduation pass a further examination from any university established by law in the province have to wait for promotion to the graduates' grade till they pass beyond the Rs. 75 stage ?

The Hon'ble Rai Rajeshwar Bali : One of the conditions is that they must have served for six years as assistant masters.

PREFERENCE GIVEN TO THE GRADUATES OF THE ALLAHABAD UNIVERSITY OVER THOSE OF OTHER UNIVERSITIES.

*82. **Khan Bahadur Shaikh Saiyid Muhammad :** Will the Government be pleased to state why graduates of the Allahabad University are given preference to the graduates of other universities established by law in the United Provinces as regards appointments and promotions to the graduates' grade in the Education department?

The Hon'ble Rai Rajeshwar Bali : The facts are not as stated in the question.

PROVISION IN GOVERNMENT AND AIDED INTERMEDIATE COLLEGES FOR TECHNICAL EDUCATION.

*83. **Mr. C. Y. Chintamani :** In how many (i) government and (ii) aided intermediate colleges does provision exist for other than a purely literary education? Will the Minister give particulars thereof?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix H, page 226.)

POSTS OF DEPUTY SECRETARY TO GOVERNMENT, JUDICIAL AND REVENUE DEPARTMENT.

*84. **Mr. C. Y. Chintamani :** (a) Was the Finance Committee consulted or was the Council afforded an opportunity of expressing an opinion about the conversion of the post of deputy judicial secretary into a post of secretary and the appointment of a deputy revenue secretary? If not, why not?

(b) Is the latter a temporary post? What will be its duration?

The Hon'ble Sir Sam O'Donnell : (a) No. The Chief Engineer in the Buildings and Roads branch of the Public Works department has now ceased to combine the functions of Secretary to Government and Chief Engineer. Successive Ministers in charge of the department including the honourable member himself, have pressed for this alteration of system. Prior to making the change, the Government examined the position in order to make the transfer of functions as conveniently as possible and without extra expense. The Buildings and Roads branch of the Public Works department was accordingly transferred to the Revenue Secretary. The Revenue Secretary and his two predecessors had already found their responsibility for Judicial a heavy burden, and it was clear that other arrangements must be made for that subject. The simplest course was adopted, namely, that of converting the Revenue and Judicial deputy secretaryship into a separate Judicial secretaryship. In making these changes the Government were dealing with executive matters which there was no reason for placing before the Finance Committee or the Council. No extra expenditure was anticipated.

(b) The appointment of Mr. Bates as deputy secretary in the Revenue department was a purely temporary expedient to enable the Revenue Secretary to bring the recent assessments in the Muttra district into conformity with the new settlement rules. The appointment was sanctioned for three months. Under recent re-arrangements there is a

deputy secretary who works in both the Revenue and Industries departments.

Mr. C. Y. Chintamani: Is it a fact that when there was a re-organization of the Secretariat in 1923 the Finance Committee was consulted before effect was given to the proposals of the Government?

The Hon'ble Sir Sam O'Donnell: I think the proposals did go before the Finance Committee.

Mr. C. Y. Chintamani: Is it a fact that then as now these changes dealt merely with executive matters?

The Hon'ble Sir Sam O'Donnell: They did; but there was a general re-organization scheme at that time.

Mr. C. Y. Chintamani: Is it the intention of the Government to consider the advisability of consulting the Finance Committee before making any future changes in the Secretariat: of course not the personnel but in the general arrangement?

The Hon'ble Sir Sam O'Donnell: It depends: if there is extra expenditure involved, certainly.

Mr. C. Y. Chintamani: Was there extra expenditure involved in 1923?

The Hon'ble Sir Sam O'Donnell: I do not think there was actually, but ultimately.

Mr. C. Y. Chintamani: Is it a fact that the 1923 proposals were intended to bring about a reduction of expenditure?

The Hon'ble Sir Sam O'Donnell: Yes, partly.

Mr. C. Y. Chintamani: With regard to the last sentence of the answer to the question, viz.—“no extra expenditure was anticipated,” has this anticipation been realized?

The Hon'ble Sir Sam O'Donnell: So far, yes.

Mr. C. Y. Chintamani: With regard to clause (b), before the Deputy Secretary, Industries department, was also made Deputy Secretary, Revenue department, was it considered whether the work in the Industries department had suddenly become so much less than it used to be that there should be this combination?

The Hon'ble Sir Sam O'Donnell: I am not prepared to say that there had been decrease in the work of the Industries department; but we were satisfied that the Deputy Secretary could take on both.

Mr. C. Y. Chintamani: When the Hon'ble the Finance Member says “we were satisfied” does he mean both he and the Hon'ble Minister of Industries?

The Hon'ble Sir Sam O'Donnell: As the honourable member knows I do not answer questions relating to the internal administration of Government.

Mr. C. Y. Chintamani: May I ask the Hon'ble Minister of Industries whether he was a party to this arrangement and whether he was satisfied that the work has so far lightened as to combine the posts?

The Hon'ble Sir Sam O'Donnell: On a point of order. Is it admissible for the honourable member to question another Member of Government on a question which has already been answered by one Member of Government?

The Hon'ble the President : It will be within the recollection of the leader of the House that a similar point of order was raised by the honourable member for Partabgarh some time ago when during the course of supplementary questions the Hon'ble Minister of Education was allowed to reply in connexion with a question originally answered by the Finance Member on his readiness to reply to it. I had ruled then that this could be done. If the Hon'ble Minister of Industries chooses to reply to this question now he may do so.

The Hon'ble Thakur Rajendra Singh : I cannot say anything.

MAJOR OPERATIONS.

* 85. **Mr. C. Y. Chintamani :** (a) Will the Hon'ble Minister of Education lay on the table a copy of the order of the Inspector-General of Civil Hospitals' No. 66, dated January 8, 1926 ?

(b) Has his attention been drawn to a proposition that was moved at a meeting of and the resolution passed by the United Provinces Medical Council thereanent (vide page 471 of the *United Provinces Gazette* of May 21, 1927) ?

(c) What action has the Inspector-General taken on the Medical Council's resolution ?

The Hon'ble Rai Rajeshwar Bali : (a) A copy of the Inspector-General of Civil Hospitals' No. 66, dated January 8, 1926, is laid on the table.

(b) Yes.

(c) A copy of the resolution of the Medical Council was forwarded by the Inspector-General of Civil Hospitals to the Civil Surgeon, Ghazipur.

(See Appendix I, page 227.)

RESOLUTIONS OF THE DISTRICT BOARDS' CONFERENCE AT JAUNPUR.

* 86. **Mr. C. Y. Chintamani :** (a) Has the attention of the Hon'ble Minister of Local Self-Government been drawn to resolutions Nos. 1, 2 and 3 passed on February 27 last by the district boards' conference at Jaunpur ?

(b) What consideration, if any, has the Hon'ble Minister given to each of them, and with what result ?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) The resolutions are under the consideration of Government.

Mr. C. Y. Chintamani : How much longer will it take Government to consider the resolutions before taking a decision.

The Hon'ble Nawab Muhammad Yusuf : It will take some time.

Mr. C. Y. Chintamani : How much time has it already taken ?

The Hon'ble Nawab Muhammad Yusuf : The intervening period between now and the time when the question was originally put.

* 87. **Mr. C. Y. Chintamani :** (a) Has the Hon'ble Minister's attention been drawn to resolutions Nos. 2 and 3 of the said conference passed on February 28 last ?

(b) What consideration, if any, has he given to each of them, and with what result ?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) Government do not propose to take any action on these resolutions.

Mr. C. Y. Chintamani: Is it a fact that these resolutions ask the Government to completely relinquish control. Does the Government propose to take any action?

The Hon'ble Nawab Muhammad Yusuf: The Government feel that a certain amount of control is exercised by them all over the world and in view of that Government cannot relinquish its control.

Mr. C. Y. Chintamani: I am here referring to the answer to part (b) of question No. 87 which is to the effect that it is not proposed to take any action on these resolutions, and my question arises out of the last answer given by the Hon'ble Minister.

Is it a fact that these resolutions asked that Government should completely divest themselves of all control?

The Hon'ble Nawab Muhammad Yusuf: I do not quite follow the honourable member.

Mr. C. Y. Chintamani: The Hon'ble Minister said in his reply to my question that throughout the world a certain amount of control is exercised by the Government. In view of this I wish to ask whether it is a fact that any of those resolutions asked Government completely to divest themselves of all control?

The Hon'ble Nawab Muhammad Yusuf: No, no.

* 88. **Mr. C. Y. Chintamani:** Does the Hon'ble Minister of Local Self-Government propose to consult at an early date the Council Advisory Committee on Local Self-Government on all the important resolutions of the aforesaid conference? If not, why not?

The Hon'ble Nawab Muhammad Yusuf: The Advisory Committee on Local Self-Government will be consulted on such of the resolutions as appear to require their opinion.

Mr. C. Y. Chintamani: Why have those resolutions not been referred to the Advisory Committee on Local Self-Government during these many months?

The Hon'ble Nawab Muhammad Yusuf: That was an informal conference and it was not considered necessary to refer the resolutions to the Advisory Committee.

Mr. C. Y. Chintamani: As the Hon'ble Minister has announced today that the Advisory Committee will be consulted on such resolutions as appear to require their opinion, is it to be understood that the Government now think that at least some of the resolutions are worthy of consideration and when will the Advisory Committee be consulted?

The Hon'ble Nawab Muhammad Yusuf: There are some other important resolutions which will be considered by the Advisory Committee.

Mr. C. Y. Chintamani: My question with reference to question No. 88 is: When will such resolutions as appear to require their opinion be referred to the Advisory Committee?

The Hon'ble Nawab Muhammad Yusuf: It is under consideration.

The Hon'ble the President: As a matter of fact the whole thing seems to be under consideration.

The Hon'ble Nawab Muhammad Yusuf: Yes, Sir.

GRANTS TO NON-OFFICIAL BODIES FOR EDUCATION AMONG THE
DEPRESSED CLASSES.

*89. **Mr. C. Y. Chintamani:** Why was the provision of Rs. 5,000 for grants to non-official bodies for expansion of education among the depressed classes cut out of the demands for supplementary grants?

The Hon'ble Rai Rajeshwar Bali: In the original supplementary estimates the provision was erroneously shown as a grant to non-official bodies for the expansion of education among the depressed classes. The provision is meant for night schools and is shown as such in the revised supplementary estimates.

REPORT OF THE LEE COMMISSION.

*90. **Mr. C. Y. Chintamani:** (a) Has Government's attention been drawn to paragraph 35 (pages 18 and 19), paragraph 36 (page 19), (xii) in summary of recommendations (page 65) and 108 (page 62) of the report of the Lee Commission, affecting the United Provinces civil service?

(b) Is it a fact that those recommendations have not been carried into effect in the letter or in spirit?

(c) Do Government intend to give full effect to them, and when?

(d) If not, why not?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) No.

(c) Effect is being given to these recommendations.

(d) Does not arise.

TAX ON CIRCUMSTANCES AND PROPERTY BY DISTRICT BOARDS.

*91. **Mr. C. Y. Chintamani:** (a) How many and which district boards have increased the rate of the land cess or imposed a tax on circumstances and property as they were empowered to do by the Act of 1922?

(b) What additional revenue did the new taxation bring in in the year 1925-26 and what percentage of the total taxation revenue of each of the boards is it?

The Hon'ble Nawab Muhammad Yusuf: (a) "The rate of the land cess has not been increased by any district board. The following six district boards have imposed a tax on circumstances and property:—

Lucknow,

Allahabad,

Meerut,

Cawnpore,

Moradabad, and

Bulandshahr.

(b) In 1925-26 the tax was in force in the district boards of Moradabad and Lucknow alone. It yielded Rs. 9,820 in Moradabad and Rs. 6,323 in Lucknow for a part of the year which works out to 4.35 and 6.11 per cent. respectively of the total taxation in the two districts."

DEPARTMENTS OF AGRICULTURE AND INDUSTRIES.

*92. **Mr. J. P. Srivastava**: In respect of all members of the staffs of the departments of Agriculture and Industries who draw a salary of Rs. 200 and over, will the Government be pleased to state their qualifications (educational, practical and otherwise) specially those which specially qualify them for the appointments they are holding?

The Hon'ble Thakur Rajendra Singh: It would involve too much work to collect the required information and to give the details about every member of the staffs of the Industries and Agricultural departments, but if the honourable member desires information about any particular officer of the departments it will be given.

*93. **Mr. J. P. Srivastava**: Will the Government be pleased to state if the Board of Industries has systematically investigated any industries of the provinces, and, if so, will the Government be pleased to lay on the table the relative reports?

The Hon'ble Thakur Rajendra Singh: Yes, but the reports have not been published. The Director of Industries will show the honourable member any of them which he wants to see.

*94. **Mr. J. P. Srivastava**: Did the Board of Industries, whose term has just expired appoint sub-committees for the investigation of certain industries? Were these sub-committees refused travelling allowance facilities by Government? Why?

The Hon'ble Thakur Rajendra Singh: Yes. It was never the intention of the Government that touring sub-committees should be appointed by the Board of Industries.

*95. **Mr. J. P. Srivastava**: Has the Department of Industries made any investigation into the question of provision of cheap power for the agriculturist or the small industrialist?

The Hon'ble Thakur Rajendra Singh: No.

*96. **Mr. J. P. Srivastava**: Has the attention of the Department of Agriculture been drawn to the advantages of pumping water from rivers for irrigation on the lines of the Divi Island plant on the Kistna river?

The Hon'ble Thakur Rajendra Singh: Small pumping schemes from rivers have been installed by the Agriculture department, but no scheme of the magnitude of the Divi Island scheme has been attempted.

*97. **Mr. J. P. Srivastava**: Has the Board of Communications made any survey of the adequacy or otherwise of the transport facilities of the province with special reference to industrial development? If so, what are the recommendations made and what action has Government taken on them?

The Hon'ble Nawab Muhammad Yusuf: The Board of Communications has made no such survey except in so far as all improvements of communications must further industrial development.

*98. **Mr. J. P. Srivastava:** Has any investigation been made with a view to developing water transport in the province?

The Hon'ble Nawab Muhammad Yusuf: The question of improving water communications was considered by the Board of Communications in 1920, and it was resolved that, with the return of normal conditions on railways and the improvement of metalled roads, an expansion of river-borne traffic was not likely.

EXPENDITURE ON THE TECHNOLOGICAL INSTITUTE AT CAWNPORE.

*99. **Mr. J. P. Srivastava:** Will the Government be pleased to state what will be the total non-recurring expenditure on the building and equipment of the Technological Institute at Cawnpore? Has the advisory committee of the Institute been given an opportunity to vote the expenditure and to approve of the plans and the proposed equipment?

The Hon'ble Thakur Rajendra Singh: An answer will be given at a later date.

HOUSING CONDITIONS OF INDUSTRIAL LABOUR IN CAWNPORE.

*100. **Mr. J. P. Srivastava:** Has the Government taken any steps to improve the housing conditions of industrial labour in Cawnpore? Has the Improvement Trust been provided with funds to take up this very pressing need of Cawnpore?

The Hon'ble Rai Rajeshwar Bali: (a) The Improvement Trust Inquiry Committee of 1924 considered the problem and recommended that the local authority should furnish the land and the usual amenities at a concession price, and that the buildings should be put up by the commercial bodies concerned. Government accordingly transferred the nazul land in McRobertganj to the Improvement Trust, who have made it over to the British India Corporation at cost price for the extension of their workmen's settlement. The Trust also offered land for this purpose at reduced rates to the Muir Mills and to the Victoria Mills, but they have not so far availed themselves of the offer.

(b) Government have made no separate grant to the Trust for this purpose.

STORES PURCHASE DEPARTMENT.

*101. **Mr. J. P. Srivastava:** Is the Stores Purchase department competent to place orders for stores without reference to the indenting departments, or does the placing of the order depend on the approval of the last-named departments?

The Hon'ble Thakur Rajendra Singh: The honourable member is referred to notification no. 1094/XVIII—218, dated June 27, 1927, prescribing the latest rules for the purchase of stores for Government departments, particularly the preamble and rules 3(a) and 3(c) (i).

RECOMMENDATION OF THE INDIAN INDUSTRIAL COMMISSION.

*102. **Mr. J. P. Srivastava:** Has the Government ever considered the recommendation of the Indian Industrial Commission that "the relations of the Director of Industries and the local Government should be as direct as possible, which may be effected by giving him the position of

secretary for commercial and industrial subjects?" If so, why has the Government not seen fit to accept the recommendation?

The Hon'ble Thakur Rajendra Singh : Government considered the recommendation, but were unable to accept it for administrative reasons.

APPOINTMENT OF TAHVILDARS.

* 103. **Mr. A. P. Dube :** Will the Government please redeem the promise it made in answer to the questions, nos. 55 and 56 put by Mr. Zahur Ahmad on July 1, 1926, printed at page 154 of the Council Proceedings of that year, and state if the Fundamental Rules apply to sub-treasury tahvildars and if their posts are pensionable?

The Hon'ble Sir Sam O'Donnell : Tahvildars have now ceased to be Government servants. They are appointed and paid by the treasurer.

Mr. A. P. Dube : Will the Government postpone the enforcement of this order till this Council has had an opportunity of considering the matter?

The Hon'ble Sir Sam O'Donnell : I do not think that the order is in the least unjust. On the contrary, I think that that is the only practical arrangement.

Mr. A. P. Dube : When is the order coming into force?

The Hon'ble Sir Sam O'Donnell : It is coming into force on the 1st of November.

INTRODUCTION OF TIME-SCALE IN THE HIGH COURT.

* 104. **Mr. A. P. Dube :** (a) Will the Government state how soon it intends to introduce time-scale in the office of the High Court? (b) Is it not a fact that the lower grades in the offices are extremely congested? (c) Are not too many extensions after the age-limit given year after year? (d) Does the Government propose taking any steps to remove this congestion and stop the extensions?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Government have no such intention at present.

(b) No; as in all offices the number of posts in the lower grades is large compared with the number in the higher grades.

(c) No. The rules require that extension up to the age of 60 shall be given to ministerial servants unless they are unfit to work. Extension after the age of 60 require the sanction of Government and are only given in rare cases.

(d) Does not arise.

RAID CONDUCTED BY THE JOINT MAGISTRATE AND THE POLICE OFFICERS OF ALLAHABAD.

* 105. **Mr. A. P. Dube :** (a) Is the Government aware that the Joint Magistrate of Allahabad recently conducted a raid and seized a large quantity of cocaine, opium, and excisable articles and money and account books and writings at the house of a smuggler in Chank about 50 yards from the head police office called Kotwali at Allahabad?

(b) If so, what were the respective quantities of the excisable articles, the amount of the money, and the number of account books that were seized?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Eight seers *charas*.

Fifty small packets and one large packet of cocaine.

About Rs. 250 in cash.

Various bills and papers and one account book.

* 106. **Mr. A. P. Dube :** (a) Is it a fact that in the raid the detective agency, as well as the police officials, that were employed were not those belonging to the said Kotwali, but of other police stations ?

(b) Was any policeman or officer of the Kotwali called during or after the search ?

(c) If not, why not ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) No.

(c) Because it was not considered necessary.

* 107. **Mr. A. P. Dube :** (a) Is it not a fact that all the police stations in the city of Allahabad are under the Kotwal in charge of the said Sadr Kotwali ?

(b) How long before the actual raid was decided upon ?

(c) Was the said Kotwal in any way informed about the said raid during the interval ?

(d) If not, why was he not so informed ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) The house is reported to have been under observation for four months before the raid.

(c) No.

(d) It was not considered necessary.

* 108. **Mr. A. P. Dube :** Is it a fact that in the account books seized there are entries to the effect that certain amounts were paid to the police ? If so, do the entries show a daily payment, or what ? How far back do the entries go ? To what officers do the entries purport to make payments ? To what police station are the officers attached to whom the entries relate ? What are the amounts stated to have been paid ? Were these account books produced in Court ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. The account books were produced in Court. The rest of the question does not arise.

Mr. A. P. Dube : Were any books seized other than those produced in Court ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware whether any books were seized other than those that were produced in Court.

* 109. **Mr. A. P. Dube :** (a) Is the Government in a position to state how long has the smuggler been carrying on his nefarious trade ?

(b) Why had the officers attached to the Kotwali failed to detect it ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Government have no information.

(b) Presumably because of the difficulties of detection.

* 110. **Mr. A. P. Dube :** Will the Government be pleased to state how many inspectors and sub-inspectors are attached to this Kotwali, and what have been the periods during which they have been so attached to this Kotwali ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There are one inspector, holding the honorary rank of deputy superintendent of police, and six sub-inspectors attached to the Allahabad Kotwali. The Kotwal has been in Allahabad since August 29, 1927. The sub-inspectors have been attached to the Kotwali since—

- (1) August, 1926 ;
- (2) December, 1926 ;
- (3) January, 1927 ;
- (4) May, 1927 ;
- (5) June, 1927 ; and
- (6) June, 1927,

respectively. Two of these sub-inspectors are probationary sub-inspectors under training.

* 111. **Mr. A. P. Dube :** (a) Is it a fact that a certain police constable was also arrested by the Joint Magistrate of Allahabad inside the room of the smuggler ?

(b) Is it a fact that the articles were being weighed when the raid came ?

(c) If so, to what police station did that constable belong ?

(d) Has he been prosecuted in Court ?

(e) Has he been dealt with departmentally ?

(f) What is the punishment imposed upon him, if any ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) No.

(c) Outpost Shahganj.

(d) No.

(e) Yes.

(f) He has been dismissed.

* 112. **Mr. A. P. Dube :** (a) Has the Government made any inquiry to ascertain the complicity or connivance of the said Kotwali police officials in this matter ?

(b) If so, what was the nature of that inquiry and what is the result ?

(c) If not, do Government propose to order an inquiry in the matter ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) The superintendent of police, who was asked to report, says that there is no direct evidence of the connivance of the Kotwali police in this matter.

(c) Does not arise.

TENT CLUB, MUTTRA.

* 113. **Thakur Hukum Singh** : (a) Is it a fact that the Military Tent Club, Muttra, has appointed its servants in different centres of the district to prevent the killing of wild pigs by the tenants so that these wild pigs may provide hunt for the Club ?

(b) Is the Government aware that in Muttra district the number of wild pigs has increased enormously, and that they do great harm to the crops ?

(c) Is it a fact that the police department of the district helps the Military Tent Club in this prohibition of killing of the wild pigs ?

(d) Is it a fact that people of Kanjar and some other communities who generally hunt these wild animals and thus were very helpful for the agriculturist have been strictly prohibited from hunting the wild pigs ?

(e) Has the Government allowed this prohibition by the Military Tent Club ?

(f) If not, do Government intend to check such an action of this Club and others concerned ?

(g) Will the Government consider the advisability of granting licences for fire-arms to tenants paying an annual rent of Rs. 100 and above of such places in Muttra district where these wild pigs are a great nuisance ?

The Hon'ble Sir Sam O'Donnell : (a) I understand that a number of part-time servants are employed in small areas near Muttra to report the presence of pigs in order that they may be hunted.

(b) No. The Muttra Tent Club kills more pigs than the villagers unaided are ever likely to destroy.

(c) No.

(d) No.

(e) Does not arise.

(f) The Muttra Tent Club is a private club, and includes a number of Indian gentlemen. The Government are not concerned with the activities of the Club unless the law is infringed. Of this there is no evidence.

(g) This question does not seem to me to arise in the circumstances already explained. There is already a large number of arms in the Muttra district, and it must be remembered that shooting is prohibited over a large area in this district in deference to Hindu sentiment.

HONORARY ASSISTANT COLLECTOR OF RANIGAON, MAT, MUTTRA.

* 114. **Thakur Hukum Singh** : Is it a fact that the honorary assistant collector in Ranigaon, tahsil Mat, district Muttra, knows neither Urdu nor English nor can he write even one correct complete line of Hindi and does not know any law ?

The Hon'ble Sir Sam O'Donnell : The honorary assistant collector knows Hindi and Sarrafi well, and has a good working knowledge of tenancy law. When his cases have come up in appeal his work has been found to be good and his decisions sound.

FISHING ON THE GHATS OF JUMNA IN MUTTRA.

* 115. **Thakur Hukum Singh** : (a) Is the Government aware of the fact that in the city of Muttra on the ghats of Jumna, where the Hindus

take their religious bath the Muhammadans, including some policemen, catch fish?

(b) If such state of things happens, does the Government contemplate to notify these ghâts to be prohibited area for fishing and to take steps to check it?

The Hon'ble Sir Sam O'Donnell: (a) I understand that no fishing takes place at or near the bathing ghâts used exclusively by Hindus. Elsewhere fishing takes place, and has done so from time immemorial.

(b) This does not seem to arise.

RAI SAHIB CHAUDHRI HARI SINGH, DIVISIONAL SUPERINTENDENT OF AGRICULTURE, BENARES.

*116. **Thakur Hukum Singh:** (a) Will the Government kindly state how long did Rai Sahib Chaudhri Hari Ram Singh remain as Divisional Superintendent of Agriculture in the Benares division? From what date to which date?

(b) Was he made in charge of the Benares farm along with his duties as Divisional Superintendent?

(c) Was he supposed to make tours in the whole Benares division and yet look after the Benares farm as in charge of the same?

(d) What was the condition of the Benares farm while under the said Rai Sahib?

(e) Will the Government lay on the table a copy of the inspection notes left in the "farm visitors and inspection books" by the members of the advisory committee of the farm in his time?

(f) Will the Government lay on the table a copy of the balance-sheets showing the annual profit and loss of the Benares farm for the period 1919 to 1924?

(g) Will the Government be pleased to lay before the Council the balance-sheets showing the annual profit and loss of all the farms of the United Provinces for the period 1919 to 1924?

The Hon'ble Thakur Rajendra Singh: (a) From March 20, 1923, to May 31, 1924. Total, one year, two months and twelve days.

(b) Yes.

(c) Yes.

(d) Sugarcane crop was reported to be good, but the management was not satisfactory.

(e) A copy of inspection notes by members of the advisory committee during the incumbency of Rai Sahib Chaudhri Hari Ram Singh is laid on the honourable member's table.

(f) and (g) The honourable member is referred to the annual administration reports of the Agriculture department from 1922-23 to 1925-26. Correct figures prior to 1922-23 are not available.

(See Appendix J, page 227.)

*117. **Thakur Hukum Singh:** (a) Is the Government aware that about two years back Rai Sahib Chaudhri Hari Ram Singh was reduced to a lower grade from his office of Divisional Superintendent of Agriculture, his salary being reduced from Rs. 300 to Rs. 195 a month?

(b) Is it a fact that the said Rai Sahib has been highly spoken of by many capable and high Civilians about his services?

(c) Why was he pulled down to a lower grade? Were any charges brought against him?

(d) If the answer is in the affirmative, will the Government kindly state when, what, and by whom were these charges brought against the said Rai Sahib?

(e) After his reduction did Rai Sahib take leave for about a year?

(f) Is it a fact that during the absence of Rai Sahib on leave the Bharatpur Darbar applied for the loan of his services for three years?

(g) Is it a fact that the Government, after a long correspondence, sanctioned the loan of his services to the Bharatpur Darbar on Rs. 250 a month for three years and passed orders to that effect in July, 1926?

(h) [Disallowed.]

(i) Is it a fact that the salary of Rai Sahib was further reduced from Rs. 195 to Rs. 140 only?

(j) Will the Government kindly state what were these fresh accusations due to which his salary was further reduced?

(k) Is it a fact that the Director of Agriculture, Mr. Clarke, then wrote to the Bharatpur Darbar asking whether the State was still prepared to keep him on the terms previously offered?

(l) Is it a fact that the Bharatpur Darbar still consented to have his services on the same terms?

(m) Is the Government aware that the orders passed in July, 1926, about the services of Rai Sahib Chaudhri Hari Ram Singh, being placed at the disposal of the Bharatpur Darbar, has not yet been complied with?

(n) Will the Government kindly state why is the Rai Sahib being detained in this way while the Government has already lent his services to Bharatpur State and passed orders to that effect?

(o) When does the Government contemplate to allow him to proceed to Bharatpur on his duties there?

The Hon'ble Thakur Rajendra Singh: (a) This was done by the orders of Government.

(b) Government have no information.

(c) and (d) He was reduced owing to serious financial irregularities at the Benares farm. For further information the honourable member is referred to paragraph 4 of the audit report for 1924-25 by the Accountant-General (a copy of which is attached).

(e) Chaudhri Hari Ram Singh was on leave from January 18, 1925 to September 23, 1926, i.e., for one year, eight months and six days.

(f) Yes.

(g) Yes.

(h) Yes.

(i) The fresh charge was the acceptance of private and paid employment without the sanction or knowledge of the Director of Agriculture

during January to May, 1926, while he was on leave on medical certificate and drawing leave salary from Government.

(j) No. The correspondence was between the Darbar and Government.

(k) The answer is in the negative. The Bharatpur Darbar have intimated that they no longer wish to have the loan of the services of the Rai Sahib.

(l), (m) and (n) Do not arise.

(See Appendix K, page 229.)

UNSTARRED QUESTIONS.

PRIEST OF GANESH TEMPLE, JHANSI.

1. Pandit Bhagwat Narayan Bhargava : (a) Is the Government aware that the priest of Ganesh temple of Maharani Lakshmi Bai used to be paid monthly by the Government through the Collector of Jhansi ?

(b) Has this payment been now stopped? If so, since when and why?

Kunwar Jagdish Prasad : (a) Yes.

(b) P. Vishwanath, the priest in question, was granted a religious and charitable allowance of Rs. 4 per mensem for life under the orders of the Government of India, dated May 31, 1888. This allowance ceased in September, 1923, when Pandit Vishwanath died.

CASES OF ABDUCTION AND KIDNAPPING IN THE UNITED PROVINCES.

2. Pandit Bhagwat Narayan Bhargava : Will the Government state how many cases of abduction and kidnapping, with the intention of illicit intercourse or marriage, took place in each district of the United Provinces during the year ending March 31, 1927 ?

Kunwar Jagdish Prasad : The information is not available. Its collection would involve an amount of labour which would be disproportionate to its value.

TOWN AREA TAX AT BILARI (MORADABAD).

3. Khan Bahadur Saiyid Jafar Husain : (a) Is the Government aware that all the Government servants, excepting the police officials at Bilari, in the district of Moradabad, as well as the medical officer (who is a district board official) in charge of the dispensary there have to pay town area taxes ?

(b) Is the Government further aware that the police officials of the same place are exempt from paying such taxes ?

(c) Will the Government like to direct the local authorities to exempt other Government and district board servants also from paying such taxes ?

Sir Ivo Elliott : (a) Yes.

(b) Yes.

(c) The matter is under consideration.

POLICE STATION BUILDING, SAMBHAL.

4. **Khan Bahadur Saiyid Jafar Husain :** (a) Is it a fact that the present police station building in Sambhal town is in a tottering condition?

(b) Does the Government intend erecting a new building in its place?

(c) If so, what is the estimated cost for the contemplated new building, and when is the work going to commence?

Kunwar Jagdish Prasad : (a) Yes.

(b) Yes.

(c) The estimated cost is Rs. 55,497. The work has already commenced.

TRANSFER OF QANUNGOS TO AGRICULTURAL DEPARTMENT.

5. **Hafiz Muhammad Ibrahim :** Will the Government be pleased to state whether the qanungos holding the diploma of Licentiate in Agriculture can get their services transferred to the Agricultural department?

Mr. Panna Lal : The answer is in the negative.

DISPOSAL OF APPEALS BY COMMISSIONER, ROHILKHAND DIVISION.

6. **Hafiz Muhammad Ibrahim :** How many appeals were disposed of by the Commissioner, Rohilkhand division, during the year 1925-26?

Mr. H. A. Lane : One thousand, five hundred and thirty-one.

EXECUTIVE OFFICER, AMROHA.

7. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that the Amroha Municipal Board passed a resolution dispensing with the services of its executive officer?

Sir Ivo Elliott : Yes; the Municipal Board of Amroha passed a resolution dispensing with the services of its secretary.

8. **Dr. Shafa'at Ahmad Khan :** On what date was the resolution passed? Who were the members present? Will the Government be pleased to state the names of all the members who voted on that resolution?

Sir Ivo Elliott : (a) March 16, 1927.

(b) The members present at the meeting were—

- (1) Sahu Bankatesh Prasad.
- (2) Aga Sadiq Husain.
- (3) Qazi Ibne Ahmad.
- (4) Saiyid Ahmad Husain.
- (5) Saiyid Hasan Musannah.
- (6) Dr. Aizad Bakhsh.
- (7) Saiyid Ali Muttaqi Khan.
- (8) Hakim Zammanatullah.
- (9) Sahu Jagdish Saran.
- (10) Chaudhri Kanhai Singh.

- (11) Lala Mangal Sen.
- (12) Babu Har Narayan.
- (13) Babu Bhagwati Sahai.
- (14) Chaudhri Nanak Chand.

(c) All the members mentioned above voted on the resolution.

9. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to state the resolution actually passed by the board?

Sir Ivo Elliott: A copy of the actual resolution passed by the board is placed on the honourable member's table.

10. **Dr. Shafa'at Ahmad Khan**: Is it a fact that the Commissioner of the Rohilkhand division vetoed this resolution?

11. **Dr. Shafa'at Ahmad Khan**: Will the Government be pleased to state what procedure the Commissioner adopted in this matter? Did he demand an explanation from the Chairman of the Municipal Board, or from the board as a whole? If the answer be in the negative will the Government be pleased to state why no explanation was demanded?

Sir Ivo Elliott: Nos. 10 and 11. The Commissioner allowed the appeal of the secretary under section 67(2) of the Municipal Act after calling for and considering the Chairman's report and the papers relating to the case.

12. **Dr. Shafa'at Ahmad Khan**: If the answer to the foregoing question be in the affirmative, will the Government be pleased to state what reply, if any, the Chairman or the Municipal Board as a whole, gave to the letter of the Commissioner?

Sir Ivo Elliott: A copy of the Chairman's report is laid on the honourable member's table.

(See Appendix L, page 230.)

PUNISHMENT OF CONSTABLES AND HEAD-CONSTABLES AND SUB-INSPECTORS.

13. **Khan Bahadur Maulvi Fasih-ud-din**: Will the Government be pleased to lay on the table a statement of the punishment of constables, head constables, and sub-inspectors in the following form for the last five years:—

(a) Year;

(b) Number of policemen punished—

- (1) constables;
- (2) head constables;
- (3) sub-inspectors;

(c) Number of appeals preferred during the year, including those pending from the preceding year.

(d) Number of appeals disposed of during the year by the Deputy Inspector-General and Inspector-General.

(e) Number of appeals allowed in full.

(f) Number of appeals in which punishment was lessened.

(g) Number of appeals in which punishment was enhanced.

(h) Number of appeals disallowed?

Kunwar Jagdish Prasad : A statement for the years 1924, 1925, and 1926 is laid upon the table. Punishment files are weeded after three years under the rules. Complete figures for 1922 and 1923 are, therefore, not available.

(See Appendix M, page 234.)

THANA BUILDINGS.

14. **Khan Bahadur Maulvi Fasih-ud-din :** How many new thana buildings have been constructed, or partly constructed, during the last three years? Please give the names with the actual cost of each.

Kunwar Jagdish Prasad : Fifty-three police stations have been constructed or partly constructed during the last three years. A statement giving the names with the cost of each is placed upon the honourable member's table. Those marked with an asterisk have been completed; the remainder are still under construction.

(See Appendix N, page 235.)

FURNITURE OF DAK BUNGALOWS AT BANDA AND HAMIRPUR.

15. **Maulvi Saiyid Habib-ullah :** Is the Government aware of the fact that most of the furniture and other articles in the dāk bungalows at Banda and Hamirpur are in a disgraceful condition?

Have the Government any objection to direct the district boards concerned to look into the matter and do the needful?

Sir Ivo Elliott : Government have been informed that there are defects in furniture and other articles at the dāk bungalows in Banda and Hamirpur. The attention of the district boards has been drawn to these defects.

INCOME AND EXPENDITURE ON THE PAY OF THE STAFF OF MUNICIPAL BOARD, ORAI.

16. **Maulvi Saiyid Habib-ullah :** What is the annual income of the Orai municipality, and how much of the income is spent on the pay of the staff?

Sir Ivo Elliott : The income of the Orai municipality for the year 1926-27, including grants, amounted to Rs. 22,360, out of which Rs. 3,354 was spent on office establishment. The entire municipal staff, however, cost Rs. 13,398.

THE NAIK GIRLS' PROTECTION BILL.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :— I move that the Naik Girls' Protection Bill be referred to a Select Committee composed as follows :—

- (1) Pandit Govind Ballabh Pant.
- (2) Pandit Badri Dutt Pande.
- (3) Pandit Rahas Bihari Tiwari.
- (4) Babu Bhagwati Sahai Bedar.
- (5) Sardar Nihal Singh.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

(6) Saiyid Habibullah.

(7) Kunwar Surendra Pratap Sahi.

(8) The Legal Remembrancer to Government, and

(9) The Secretary to Government in the Judicial department.

I do not wish to inflict a lengthy speech on the House at this stage, as I am not expecting any hostile feelings from any quarter in this House about this measure of mine. Honourable members of this House are well aware that the very existence of this measure is due to the persistent demand of this honourable House, and therefore it is but natural that now, while referring this Bill to a Select Committee which is composed of members of all parties, I expect that nothing but support will be its share so far as this House is concerned.

Raja Shambhu Dayal :

جناب پریسیدنٹ صاحب —

میرا سن شریف اس امر کا متقاضی ہے کہ آنکھ بند کر کے اس بل کی تائید کروں۔ لیکن چونکہ کونسل کے بہت سے نوجوان ممبر صاحبان نے مجبور کیا کہ یہ بل یکطرفہ ہی اور اگر وہ لوگ کچھ کہیں گے تو اُن کی خود غرضی سمجھی جاوے گی لہذا میں مجبور ہوا کہ کچھ دوسری طرف کی بھی حالت بیان کروں۔ میں خیال کرتا ہوں کہ واقعی بل میں دوسرے فریق کا لحاظ نہیں کیا گیا ہے۔ میں عرض کرنا کہ اس بل سے نہایت دلچسپی عوام کو ہے کیونکہ اگر آپ آنکھ اُٹھا کر اس طرف سامنے کو دیکھیں گے تو معلوم ہوگا کہ آج کس قدر یہ جو نوجوان بیٹھے ہوئے ہیں یہاں تک کہ اسٹوڈینٹ بھی ہیں •

The Hon'ble the President :

راجہ صاحب کو اور کسی طرف نظر نہ ڈالنا چاہیئے •

Raja Shambhu Dayal :

یہ کہنے سے میرا مطالب یہ تھا کہ کمیٹی سے بل کے فیصلہ کا انتظار ہی مجھے صوف دو تین باتوں کی بابت عرض کرنا ہی ارادہ ہے کہ دفعہ ۲ کی تشریح میں کہا گیا ہے کہ لڑکی کے معنی یہ ہیں کہ لڑکی وہ ہے جس کی عمر ۱۸ سال سے کم ہو۔ ممبر صاحبان کو غور فرمانا چاہیئے کہ ۱۸ سال میں ہمارے ہندوستان کی آب و ہوا کے لحاظ سے وہ لڑکی دھیکے یا کئی لڑکیوں کی ماں ہو جائیگی۔ لہذا عمر گھٹانے کی ضرورت ہے۔ دوسری بات یہ کہ دفعہ ۱۲ کا جو یہ مطلب ہے کہ اگر ۱۸ سال سے کم عمر کی لڑکی کو کوئی باہر لے جانا چاہے تو صاحب دسترکٹ مجسٹریٹ سے اجازت لے اس کی بابت مجھے یہ تجویز دالنا ہے کہ ایسے دسترکٹ مجسٹریٹ ہوں جیسے ہمارے ضلع میں آنریبل پنڈت شیم بہاری لال صاحب مصرہ ہیں۔ مطلب یہ ہے کہ وہ مجسٹریٹ جو پُرانے تجربہ کار اور مسن ہوں ورنہ کیا کلکٹر صاحبان کے اختیارات بہت وسیع نہ ہو جائیں گے اور بہت سے موقعوں پر وہ دست دوازی نہ کریں گے۔ تیسری بات یہ ہے کہ جو ۹ ممبر صاحبان سلیکٹ کمیٹی میں رکھے گئے ہیں اُن میں سے دو تو سرکاری انسپرن اور امحالیہ

پورے بل کی تائید کرینگے۔ اب جو سات رہ گئے اُس پر بہت سے لوگوں کو یہ اعتراض ہے کہ ابھی ہمارے قابل اطمینان ممبران اُس میں موجود نہیں ہیں لہذا کچھ تعداد ممبران کی اُس میں اور بڑھا دی جاوے مثلاً لوگوں کی خواہشات یہ ہیں کہ نواب جمشید علی خان صاحب اور ہمارے عزیز بابو متیہا پرشاد صاحب اور راجہ صاحب چونپور کا نام اور بڑھا دیا جاوے۔ ان خیالات کا اظہار کرتے ہوئے کہ ممبر صاحبان ان باتوں کا لحاظ رکھینگے بل کی تائید کرتا ہوں *

The Hon'ble the President :

اگر راجہ صاحب فہرست میں کوئی تبدیلی کرنا چاہتے ہیں تو بعد میں پیش کر سکتے ہیں *

Mr. Mukandi Lal : This Bill has been in the archives of the Government for over a year. The resolution that was passed by this Council on September 11, 1924, did not only ask the Government to prepare a Bill as regards the Naik girls, but its terms were general, the words being:—

“To take immediate and effective steps to put a stop to the prevailing practice of selling, buying, and bringing up of minor girls for immoral purposes in these Provinces generally, and in the districts of Naini Tal, Almora and Garhwal particularly, and with a view to suggest such steps, etc., etc.”

The Hon'ble the President : May I point out to the honourable member that he can only discuss the general principles of the Bill at this stage.

Mr. Mukandi Lal : I want to point out that the principles of the Bill do not meet the demands put forth in the resolution and are entirely different from the Draft Bill submitted by the Naik Reform Committee appointed by the Government. In the resolution it was specially said that effective steps should be taken “to put a stop to the prevailing practice of selling, buying, and bringing up of minor girls for immoral purposes in these Provinces generally, and in the districts of Naini Tal, Almora, and Garhwal particularly.” The terms of the present Bill are very narrow; it can only stay the evil day for a longer period. A large section of the society who unfortunately has taken to this profession is not touched by this Bill. This Bill, in a way, only delays the evil day up to the eighteenth year. The Bill does not say what is going to happen to those girls who will be in the settlement under the charge of Government until eighteen years of age after they have passed that age. In this Bill there is no provision for the case of a girl who runs away of her own accord from the guardianship of her guardian. Clause 13 says:—

“A person registered under this Act shall not permit any minor girl under his guardianship”. . . .

That is to say, clause 13 makes it incumbent on a person registered under this Act not to permit a girl to run away from him. But what will happen if the girl runs away of her own will? No punishment is suggested either for the girl who may run away or the person who may entice her or with whom afterwards she is found.

The second point—and this is the most important point—relates to sections 17 and 18 of the draft Bill prepared by the Naik Reform

[Mr. Mukandi Lal.]

Committee. These were the most important and penal clauses of the Bill which could tend to put a stop to the evil practice. The idea of the mover of the resolution and of the Naik Reform Committee was not that the evil should be stopped up to the 18th year but permanently. These two sections have been deliberately omitted by the Government. One section was:—

“Any person who knowingly lives wholly or in part on the earnings of prostitution shall be punished with imprisonment, which may extend to two years or with fine or with both and he may be bound over to discontinue such means of livelihood, with or without sureties, for a period not exceeding three years, either in addition to a substantive sentence under this section or in lieu thereof.”

This section was meant to penalize that section of our society which has made it a profession to live on the earnings of the unfortunate girls, but it has been omitted by the Government in the present Bill for no reason. I wonder if it were the printer's devil or the draftsman's mistake. Then there was another very important section in the Naik Reform Committee's draft Bill which has been omitted in the present Bill. This section was section 18 of the Draft Bill prepared by the Naik Reform Committee. It runs as follows:—

“Any person who procures or attempts to procure any woman or girl, whether with or without her consent, to become a prostitute, or who with intent that she may, for the purpose of prostitution, become the inmate of or frequent a brothel or the house of a prostitute, or persuades a woman or girl to leave her usual place of abode, shall be punished with imprisonment which may extend to two years or with fine of Rs. 1,000, or with both; and where a registered member of a restricted community procures or attempts to procure a woman or girl belonging to another class, or persuades such woman or girl to leave her usual place of abode, the court shall presume that that person has done so with the above intent or for the above purpose.”

This section has also been left out in the present Bill. In my minute of dissent I pointed out that in Burma a Bill was passed in 1921 to put a stop to this vicious practice of prostitution. In 1923 a Prostitution Act was passed in Bombay. I want to point out to the Government that if they are not prepared at the present moment to pass a similar Act and put a stop to this entire profession as far as it lies in their power, then at least they should have two such sections in their Bill:—

“If any person belonging to the Naik or the restricted community, who either as the guardian or being the parent of a girl under 18 years of age having such girl in his charge or care or under his influence causes, encourages, or abets the seduction or prostitution of that girl he shall be punishable with imprisonment for a term not exceeding two years or a fine of Rs. 1,000 or both.”

“Whoever detains or keeps a woman or girl under 18 years of age in any house, room, or place in which prostitution is carried on shall be punishable with imprisonment extending up to two years or with fine up to Rs. 1,000 or both. *Explanation.*—A person shall be deemed to detain or keep her for prostitution in such premises, room, or place if he looks after her, or lives on her earnings, or keeps her money or wearing apparels or ornaments or any other property belonging to her.”

These two clauses are practically based on the Burma and Bombay Acts. I would have liked these two clauses to be included in this Bill. At this stage even though we are concerned only with the Naik community, I would suggest that these two clauses be inserted in the present Bill. In the explanation I would like these words to be deleted, and for this purpose. "For the purposes of this section 'illicit intercourse' means sexual intercourse between persons not united by marriage or by any union or tie which, though not amounting to marriage, is recognized by the personal law or custom of the community to which they belong," etc. I suggest the omission of all the words after 'marriage' in the third line, as they give a very wide latitude to offenders as to what constitutes a marriage. Anyone can come forward and say this is our peculiar custom, and we have been married according to it. They should be made to prove that the marriage is performed in proper and legal form if this Bill is to be effective and preventive. There should also be some provision for those unfortunate girls who are kept in settlements as to what will become of them after 18 years of age. When they attain the age of 18 years what is going to happen to them? What is Government going to do with them?

This morning some friends told me that in the minds of some of them there was a doubt whether this Bill was likely to affect an institution sanctioned by religion. Let me remove this impression from the minds of my friends. The Naik community is not constituted according to Hindu religion; it is not based on any religion; it has no religious sanction. The Naik community was created by an accident for which Bhim Chand, the Raja of Almora, is responsible. He was fighting the Raja of Doti. He had a standing army in the field for 13 years, and the soldiers who were away from their homes for such a long time, for the first time, contracted temporary marriages with the local girls. The children born of these temporary wives were called *khatakvals*—boys being called *khatakwalas* and girls *khatakwalis*. *Khatak* means 'sword,' which connotes a warrior. Later on the male members of their fraternity came to be called Naiks and females Patar. Patar is derived from the Sanskrit word *Patet*, which means fallen. And even to-day in Kumaun they are called Patars, and even ordinarily it is used as a term of reproach to call a woman Patar—fallen woman. True, the Naiks themselves, with a view to acquire a sort of religious sanctity, say that one brother and one sister of their community went on pilgrimage to Badrinath, and the sister, even as a pilgrim, went wrong, and hence she became a Patar (fallen woman), but the brother remained pure. That is why a Naik male still gets a wife for himself from Rajputs and the female takes to the profession of Patar—a prostitute. That is the origin. There may be some opposition, but there would also be opposition from robbers and dacoits and pick-pockets against legislation restricting their activities. The honourable members must have received a petition signed by 27 Naik prostitutes, saying:—"We have sacrificed ourselves to promote the honour of the higher castes. What and whose orders have we disobeyed that the Government legislate against us." At the same time this petition also says that they would marry if anybody would marry them. They urge on the Government that if they want to put a stop to their profession they should provide for them music schools. No section of the House is opposed to this Bill. Even if there is any section of the House opposed to it, I hope my remarks will satisfy them, and they will permit it at least to go to the Select Committee and

[Mr. Mukandi Lal.]

see what that committee has to say. The gallant Raja Shambhu Dayal is anxious to add to the number of membership of the Select Committee. I would suggest to the Hon'ble Home Member to add the name of the honourable member who represents the Muhammadans of Kumaun; and, as this Bill refers exclusively to Kumaun, this should be done, so that we may have before the committee the opinion of that section of the inhabitants of Kumaun. I do commend this Bill to the care of the Council. I hope it will come out of the Select Committee in a better form and with the addition of the clauses I have suggested.

Mr. H. C. Desanges: I am just taking the opportunity to say a word about the list of members for the Select Committee. I wish to fill a gap. We have been told down the pages of history that man has always made laws for woman, and woman has had no voice in it at all. I think we ought to be careful that we do not let this error be perpetuated in this Council. I have in my hand here a petition or a memorial that has been sent to every member of this House signed by 27 of these Naik ladies. I am only speaking on the authority of this petition, where they speak of themselves as carrying on a profession (not a trade). They call it by the name of a profession; they assert that it has been hallowed by religion; they say it has the sanction of old custom, and it has come down from generation to generation. This memorial is not only instructive, but they also point out something constructive. They say:—"If you want to mend us the better class of Hindus ought also to come forward and be prepared to marry us." Another point they put forward is that they ought to have music schools and certain institutions opened for their betterment. My proposal, therefore, is that, instead of having man-made laws for woman, woman should also have her say. I propose that a couple of these ladies be co-opted in the Select Committee.

Chaudhri Dharamvir Singh: When I received notice of this Bill for the first time I was surprised to find that this heartless Government could have the idea of introducing any social reforms at all. However, the Bill which was sent to me previously was, in my opinion, something at least. It was based on certain human considerations, and Government were sympathetically inclined towards those about whom they were trying to make laws. But when last night I went into the Bill that is before us now, about the Naik community of Kumaun, I found that this Bill was framed in a very heartless manner and the framers had no sympathy with those for whom the Bill was being framed. In the first Bill, which was sent to us, the penalties prescribed were reasonable. For instance, in section 16 it said:—"Any person violating an order made under sections 6, 7, 10, 11 or 14 or abetting such violation shall be punished, on conviction by a magistrate, with a fine not exceeding Rs. 50." But here in the second Bill the penalty has been increased. In section 18 of this the last sentence ends thus—"shall be punishable with imprisonment of either description for a term which may extend to one year, or with fine which may extend to Rs. 500, or with both."

Some of the offences for which this penalty is proposed are of a minor nature, for example, to omit to furnish information required under the Act. If a person fails to make a report, and for that he is sent to year and is also fined Rs. 250, can we say that we have

dealt with him in a just and proper manner? I beg to say that what is proposed here is a very harsh penalty and is not commensurate with the nature of the offence. After all, our purpose is to eradicate the evil of prostitution from among the Naiks. It is not our motive to molest them or to give them unnecessary trouble. Certainly the custom whereby girls are devoted to prostitution is bad; it is certainly immoral; but all the same it has come down from ages, and if anyone is to blame for it, it is the Hindu society, the nation or the Government, and not some particular individuals. If a person is found in a certain set of circumstances his actions must be guided by those circumstances and for this we cannot blame him. The fault, if any, being that of the entire community of Indians, a heavy penalty should not be imposed on individuals for small offences. I think the framers of the Bill have been unduly harsh on the Naiks. On the other hand, where a real punishment should have been given, they have omitted to do anything. For, as has just been pointed out by Mr. Mukandi Lal, the most important provisions carrying heavy punishments incorporated in the previous Bill have been omitted in this Bill. The real individuals who ought to get punishments, the real persons who are responsible for perpetuating this immorality in the Naik community, have been excluded from the operation of the law. Next point. The framers of the Bill say, in the explanation attached to section 15:—"For the purposes of this section 'illicit intercourse' means sexual intercourse between persons not united by marriage or by any union or tie which, though not amounting to marriage, is recognized by the personal law or custom of the community to which they belong or, where they belong to different communities, of both such communities, as constituting between them a *quasi-marital* relation." Sir, I have been living in India and in the Hindu community, since my birth and I, like other members of this House, claim to know something about marital relations between people in Hindu society. I do not know if anything which falls short of marriage is allowed by the Hindus between any members of the community. A marriage is either a marriage or not. If it is a marriage, no one can object to it. But real secret marriages or half relations as are contemplated here are absurd and immoral and should not be tolerated. It was, in fact, to put a stop to this sort of relations that the original resolution on the subject was presented before the House. I hope, as has also been urged by Mr. Mukandi Lal, the explanation here will be confined to legal marriages alone, such as are recognized by law and custom, and will not be extended to include half-marital relations.

Then the Bill says that if a father or a guardian is not taking proper care of his girl, the latter may be removed and put in a settlement or may be given to a person who is fit and willing to take charge of her.

Who is to determine about the fitness of the persons taking charge of the girls? What should be the qualifications of those persons? Nothing is stated in the Bill about this. Nor is there any provision for rules that should be framed in this connexion. No mention is made anywhere about what I have said. Section 19, sub-clause (2), says:—"In particular and without prejudice to the generality of the foregoing provision the Local Government may make rules for all or any of the following matters: (a) particulars to be entered in the register prepared under section 5; (b) the manner in which notice should be published or given under sections 4 and 9; (c) declaring any place to be a

[Chaudhri Dharamvir Singh.]

settlement and prescribing the manner in which and the conditions under which minor girls shall be kept therein." But nowhere is there any mention of any provision prescribing what sort of persons should take charge of the girls and what their qualifications should be. Who will settle the question of fitness and what will be the test of fitness? It is quite easy to suppose that a certain person is not a good man, that a man who is in charge of a girl ward is not a good man. It is quite easy for an outsider to say so. But it is a very difficult affair to take charge of a girl or a child with the same kindness and sympathy as a parent alone can have. A man may be quite a fit person to educate a ward, he may have greater knowledge of the world; but he cannot take care of the ward with the same interest for the future of him as his guardian or any of his relations can do. In the previous Bill it was provided that a person under whom the ward shall be kept after his being removed from his guardian will be a relation or something of the sort. But no such thing is said or contemplated in the present Bill. What will happen then to the girls? A settlement may perhaps be made for them by the Christians as has been done in the case of the criminal tribes. The district magistrates, being generally Christians, may send the girls to these settlements or institutions. These settlements will be conducted by persons who are not perhaps of the same faith as the Naiks. The girls will then be converted to Christianity as is being done in the case of large number of the members of the criminal tribes. This I have seen with my own eyes. So it is of very great importance that the kind of settlements in which these girls will be placed in case they are not taken care of properly by their relatives should be defined. It should also be incorporated in the Bill that such persons as will be given charge of the girls should necessarily be of the Hindu faith, as the members of the Naik community are professedly Hindu. We have seen that it is only those persons who profess the same faith as the wards under them that can take proper care of the wards and impart the right sort of religious instruction needed for them. Although it may be by way of a digression, you will kindly allow me, Sir, to say that in my humble opinion—it may not be the opinion of others—the reclamation of the criminal tribes has not been so rapid as it ought to have been because the tribes have been put in charge of people who profess a faith quite different from the faith of the tribes under them. Their teachings are opposed to the customs, manners and culture of the people belonging to these tribes. Exactly the same will apply to the girls of the Naik community when put under such settlements. For these reasons, Sir, I hope the members of the Select Committee will give due weight to the consideration of religion which I have just submitted to the Council.

In the previous Bill it was stated that committees of respectable persons will be appointed by the district magistrate to assist him in the performance of his duties. In the present Bill, however, no such provision has been made. Now, what the result of this omission will be can easily be guessed. The duty of reporting movements and of collecting statistics will be entrusted to the police, about which we have a very sad experience indeed. The police will take bribes and molest the people, and thus practically the poor Naiks will be condemned to the position of criminal tribes. The little money which could fill the hungry

stomachs of the poor—and the people in the Hills are generally poor—will go now to fill the already full pockets of the police. Such a thing, I submit, should not be allowed to take place, because, as I have observed already, the fault of the Naiks is not their own but it is one of the whole Hindu community. We should eradicate the evil to which they are subject with as little trouble to them as possible. To my mind, the provision about assisting the district magistrate with a committee of respectable persons in the village was a salutary one and should have been retained.

I now turn to some of the criticisms which have been made by my friends there. It has been said that the Naik Bill, if passed, will interfere with the religious customs of the community. As pointed out by Mr. Mukandi Lal, no religion is involved in these evil practices of the society. Marriages too are not hard to arrange. My friend, Thakur Sadho Singh, informs me that he has arranged for a number of such possible marriages. He is a social worker of immense power and he has been working in his district for a number of years. Similarly, many other members of this Council are working in their constituencies. In the Hindu community reforms are going on. Widow remarriage is being done. Thus it will not be difficult for the Arya Samaj or for other social organizations of the Hindus to find suitable matches for these girls. After all these are high-caste girls. They were Rajputs originally. They come from the line of people from which most of our honourable members of this House come, because after all they are Rajputs. (A voice—No.). They are Rajputs certainly. It was on account of the ignorance prevailing in India that such a wretched position was assigned to them. The Hindus are guilty of making the best of them the worst. It is a shame for us now that they have been so degraded. It is our own fault and if we know their origin there should be no reason why Brahmans and Kshatriyas should not come forward to establish matrimonial relations with these girls. With these few words I recommend to the members of the Select Committee to consider what I have said in a sympathetic manner and frame their proposals after giving a good deal of thought to what I have said.

Pandit Badri Dutt Pande : As one who has worked among Naiks for the last eighteen years I think I can state on authority and with conviction and experience when I say that this is a very modest measure which the Government has brought forward after a labour of three years. I have been going constantly to their villages, preaching among them and studying their conditions and I thought that there would be nothing but sympathy for this Bill from every quarter of this House. I was surprised to hear from Mr. Desanges when he said that some of these ladies (prostitutes) ought to be co-opted in the Select Committee. We should drop our head in shame. If some honourable ladies of the House (if there were any) were to be co-opted I would welcome that. The memorial which is in the hands of honourable members is not the doing of these prostitutes. It is the doing of their patrons. I mean their lovers. I understand it and I know whose doing is that—.

The Hon'ble the President : The Select Committee is composed of the members of this House and there are no lady members.

Pandit Badri Dutt Pande : No : Mr. Desanges said that these ladies who have sent the memorial may be co-opted. It is not our convention

[Pandit Badri Dutt Pande.]

to thank this thankless Government, but I think we should thank it for this particular measure. I stand for liberty, liberty for all and I hate coercion as anybody else would do. But coercion for vice is allowed by the law-giver everywhere. I would have asked for a stronger measure, but we have yet some sympathy towards the Naiks, because most of them are improving and because they are creatures of circumstances. I am working among them; the Sewa Samiti of Prayag is working among them, so also the Arya Samaj. I, Mr. Hirday Nath Kunzru, and other gentlemen are constantly going to their villages and we are asking them to live a life of decency and honesty. We are constantly preaching among them. Some of them have been reclaimed. They have pledged that they will lead better lives. Marriages are being solemnized among them. We must know where we stand. My friend Mr. Dharamvir Singh was groping in the dark. He had been two and a half months in Tarikhet and if he had only cared to visit some of the villages occupied by Naiks he would not have come forward with the views he had expressed. I think that if we had only known what demoralization these people are spreading, how many girls they are kidnapping every year, and what devastation they have spread among the Hindu society, we would have at once adopted as strong measures as those adopted by Mustafa Kamal Pasha. There are now about eight hundred Naik girls in the market from Pali Pachaon alone and two or three hundred are kidnapped every year by these rascals, I should say. They are not Rajputs: if they are Rajputs, they have debased themselves and we must hang our heads in shame when calling them Rajputs. They may call themselves Brahmans or gods, but they are devils. I work among them and would reclaim them. But considering how we are taunted for the fact that we hail from the identical place where there do exist such shameful practices, we drop our heads in shame. So I think and hope that the Select Committee will thresh out the whole Bill, and if it is in any way coercive or presses too hardly on these persons in any way, they will just soften it, they will just lubricate it. That should be done, but now I think the principle of the Bill ought to be accepted. We know that in every recognized society there are prostitutes, but where a whole community becomes addicted to such a vice wholesale,—that is a thing which ought to be stopped. At a certain age, say at about 18, when a boy or girl attains majority, he or she may be considered to be at liberty to do as he or she likes. He or she may become an angel or a devil, but that an innocent girl may be made to lead a life of infamy, that is shameful indeed. If it be not possible for the people to protect them, surely it is the duty of the Government and the legislature to protect them, hence we should protect these people. Even in England there is a law against prostitution—I do not know—my friends on the opposite benches may be able to enlighten me. But Thakur Mashal Singh, on a previous occasion, when he brought out a resolution, said that in England he was told it is a law that a mother leading an immoral life would not be entitled to the guardianship of her daughter. In the debate my friend Thakur Mashal Singh, who brought out the resolution and to whom our thanks are due, said that even in England if the mother leads an immoral life, then the daughters are weaned from her. So I say why should this be considered unnatural here. Hence we expect nothing but support from every member of this House. They are spreading poison all around. If only one or two of the members of the House would come along with me, as Pandit Hirday

Nath Kunzru did, they will find how we have been working there together for years and that there are two preachers appointed by the Sewa Samiti. Prayag Pantji, Pandit Har Govind Pant, and myself go there at times. Now, we have four day-schools and one night school amongst these Naiks financed by the Sewa Samiti Prayag. We have taken a census of these Naiks as also particulars with whom they are connected. There are about 5,000 Naiks and these 5,000 naiks have put about 800 girls on the market at present. Do you see what they are doing? They decoy any beautiful girl they can lay their hands on. Could anybody tolerate such a system, whether it is religious or irreligious, moral or demoralizing? It is for us who are the *intelligensia* of the people to decide whether we should allow such corruption to go on in the name of religion. No religion would sanction this thing, neither Christian nor Muhammadan nor Hindu. It is only the lustful people who make religion a shield to protect this vice. I think every member of the House would look with sympathy to this ill. We cannot uproot evil; it is implanted either by the Devil or God. It is only a sign-board which we can put up that this way lies the danger. So we are doing the same thing here. This Bill as far I understand is a sort of air-gun. We had a register formerly during the days of Sir Henry Ramsay, and it was as long ago as June, 1857, that the Government wrote: "Many young girls are frequently sent to the plains to lead a life of prostitution. The magistrate is authorized to punish such persons who send or abet in kidnapping children for this purpose. The punishment may extend to a fine of Rs. 200 and imprisonment of one year." This was written by the Government in 1857, but nothing was done; only a register was kept by Sir Henry Ramsay under which only those girls could enter the market who had attained the age of puberty. This too was abolished in, I believe, 1896. Since then the blessed Naiks have been doing whatever they liked. They decoy and purchase any girl they can lay their hands on. The Naiks are very rich people and they have got villages, yet they have applied that if this custom is abolished they should be given lands. I think they should be given nothing, because they have got fine valleys and a lot of cultivation and they can live on that. Now, what happens? When these girls go to their villages with silver and gold ornaments and silk, those villagers see that by doing their ordinary manual labour they earn very little and it is only by infamy that they can earn these gold and silver ornaments. So these honest village people are also going astray. You can take any amount of liberty, but when your liberty encroaches on the liberty of others it becomes a crime. Nobody likes coercion, but when a human being endangers society there coercion comes in. Now there has been a good deal of lorry traffic also, and what is happening is that these lorry-wallahs go and take away girls and sell them in the Punjab or in Bombay or any other place. So we should put a stop to this and show that there is some danger zone, that if you do such and such things, there is a penalty for it. I am aware that the police have been given considerable powers; but I think more powers ought to have been given to them to tell these rascals that they are carrying on a very nefarious trade which must be stopped. So, as honourable gentlemen, as representatives of the people, as enlightened people, we expect sympathy from every quarter in our effort to uproot this vice or even to put a check on it. I am sure every honourable gentleman will support this measure.

Mr. E. Ahmad Shah: I whole-heartedly support this Bill; and in supporting it I would like to make certain suggestions to make it strict.

[Mr. E. Ahmad Shah.]

It seems to me that in certain measures the proposed Bill is lenient, and I would like to make it as strict as it can be made and enforced by law so that this abominable practice, which is based on a false conception of religion and loose customs, may be abolished at once. Sir, the two points which I would like to present, arising out of sections 8 and 25, are these. The first point arises out of section 8 which runs as follows:—"Every member of a notified Naik community whether he is registered or not, to whom a daughter is born or under whose guardianship or control any minor girl comes shall, within a month of such event, make a report." My remark is directed against the word "month" in this section. I think a period of one month is too long. I would like to reduce it to one week, for the following reason. Ordinarily hill women are stronger than women of the plains, and they get through the period of maternity sooner than women of the latter class. If the period of registration is extended to one month, the danger would be that girls born to such women would be shifted to distant places whence it would be difficult to trace them, but if the period is reduced to a week, then the authorities shall be able to find out definitely and quickly the place where the girls are born and the registration will be accurate and definite. Therefore I would like to restrict this measure by reducing the period from one month to one week.

The second point that I would like to raise arises out of section 15. There, in the explanation about illicit intercourse, the following words are given:—"For the purposes of this section 'illicit intercourse' means sexual intercourse between persons not united by marriage" (and there are seven lines after it). I would like to delete all the remaining lines after the word "marriage." My reason is this . . .

Khan Bahadur Hafiz Hidayat Husain: On a point of order. Is the honourable member right in discussing the details of the Bill?

The Hon'ble the President: I think the honourable member is only doing this for the benefit of the Select Committee, but he is not entitled to go into the details of the Bill, further than is necessary to explain its principles.

Mr. E. Ahmad Shah: Those honourable members who have been appointed on the Select Committee will, I am quite sure, bear in mind the points referred to by me. My object was simply to suggest that we have made the Bill rather lenient for the Naiks. There will be a hundred different ways which they will find to get out of the penalty imposed by this Bill; but if our measures are couched in restricted terminology then we shall be able to restrict the activities of the people and be able to enforce this Bill in the manner in which every one of us is wishing it to be enforced. I will not refer to the different sections, as perhaps I am out of order. But, with your permission, Sir, I will make two other observations. First is directed to remarks made by an honourable member sitting on the opposite benches to the effect that when the settlements are organized they should not be handed over to Christians. Well, I do not think Christians come forward at any rhyme or reason to undertake to defend such persons as are handed over by their own people; but finding that certain sections of the population are altogether neglected and not taken care of but are allowed

to remain in that degraded, rotten condition, it is only then that they consider it their duty to come forward and extend a helping hand to such people so that they may be raised and restored to that level of society to which they rightly belong. I do not think anyone of us should apprehend any danger, from the community to which I belong, concerning encroaching upon the rights of other communities in acts of service.

My next observation is about a constructive suggestion which has been already introduced by the member sitting on my left. The people against whom this Bill is directed belong to the Hindu community; it should be the foremost duty of the members of that community to raise them, and as they have come forward in a body in supporting this Bill to raise this degraded section of their community we welcome it; but we also suggest that in trying to raise this degraded section of the people they should devise such ways and means amongst themselves as to enable them to rise to that place to which they rightly belong.

Reference has been made to a petition circulated by women of the Naik community. I have got a copy and I believe other members also have received copies of it. They have pertinently raised this point: that if this Bill is to be enforced, let the members of the community to which they belong broaden their customs and caste-regulations so that whenever anyone of them comes forward with a proposal for marriage the members of that community may welcome such a proposal and accept her without any caste bar or restriction. It is one thing to introduce a Bill and not provide any definite suggestions for enabling them to come out of that degraded life and another thing to propose a Bill and also suggest certain measures by which the life of such people may be made good and worthwhile.

With these few remarks I commend this Bill to the whole-hearted support of this House.

Mr. A. P. Dube : I shall only interpose for a few minutes and my reason for interposing at this late hour—because I think there has been too much discussion on this non-controversial matter—is that I want to make it clear to the House and through the House to the members of the Select Committee, that they should not be carried away by the pseudo ideas of religion and custom which have been in a half jocular manner aired by the member for the Anglo-Indian Association.

There is no doubt that these women have issued a circular and in that circular they have invoked the name of religion and the name of custom in order to cover their trade, their shameful trade, of prostitution. Well, it may not be the fault of these women who have been compelled to live such a life, but the State has got a duty to see that a community is not condemned wholesale to an immoral trade. We all recognize that prostitution may to a certain extent be a safety-valve for the protection of the society; but when an entire community seeks to justify its immoral profession of selling its girls to prostitution, that community must expect to be taken in hand by the State. One honourable member has said that he does not want to restrict the freedom of people; but such freedom as we have in this world is always a limited freedom. Even freedom is said to be not free to kill itself, and I say that the name of religion has been invoked in vain. The question of religion must be looked at from a different point of view and I will tell those women who have issued the circular that the pleas put forward by them are merely specious pleas having no substance. Religion is a very old thing and it partakes of the

[Mr. A. P. Dube.]

limitation of those among whom it obtains. There was a time when religion was the work of a sort of priest who was half a wizard and half a butcher and whose altar was very often seen reeking with the blood of the sacrifice. Then, we have in our own country thugs, who have always considered it their religion to commit theft. They have their special gods. They propitiate their gods before they start upon their excursions. They want auspicious days, and they are given them by their priests, on which they start their work. Well, these are all things which have really the limitations of the men among whom the religion prevails. The god of a thug is one who condones theft, just as the god of a cannibal is a cannibal. West Indians even flog their gods when they are in difficulty, so that they may be extricated from the perilous position in which they may find themselves. With regard to the custom, it cannot justify conduct of this sort. The honourable member for the Anglo-Indian Association knows that it is one of the cardinal principles of law that an immoral custom cannot have the force of prescription. One of the first conditions of a law is that it shall not connive at an immoral custom, and this is certainly an immoral custom.

With regard to the plea of these women that there must be somebody to marry them, a beginning has to be made and the whole question must be tackled and will be tackled by a select committee and such consequential reliefs as might appear to be advisable will be recommended by it and fresh legislation might be undertaken as often as necessary in the circumstances. With regard to marriage the ideas of the nation are changing and I hope the maxim will be recognized that once a prostitute, is not always a prostitute; in some communities that is so.

With these few words I think I should also join in giving my support to this measure.

Khan Bahadur Maulvi Fasih-ud-din: There are just two points which have struck me in connexion with this Bill. The first is that this Bill aims at eradicating the evil of prostitution amongst the Naik community. Prostitution is undoubtedly an evil and if it is so, why should it be an evil in the Naik community alone and not in the hundred and one families that carry on prostitution as a hereditary profession? The question of prostitution is undoubtedly becoming a scandal in this country and it is up to the Government to grapple with it with the firmness and courage that it deserves. The other point that has struck me in connexion with this Bill is that this Bill fixes eighteen years as the age-limit below which a Naik girl cannot carry on the profession of a prostitute. But what about the stage when she passes beyond the age of eighteen years? Does this clause mean that she has the sanction of the law to become a prostitute after the age of 18? I do not know what is the charm about this figure 18. If it is intended that she should be restrained from becoming a prostitute till a certain advanced age, why not put it down at 25 or 30 after which it will be very difficult for her to begin the profession of a prostitute.

Babu Ganesh Shankar Vidyarthi:

प्रेसोडेन्ट साहिब,

जो बिल आप के सामने पेश है मैं उसका तहे दिल से स्वागत करता हूँ लेकिन कुछ बातें जो इस के मुतल्लिक हैं मुझे आप के सामने पेश करना है मुझे

यकीन है कि जो सेटेक्यू कमेटी मुक़रर होगी वह इस पर गौर करेगी। इस में कुछ शक नहीं कि अगर शिक्षा प्रचार के जरिये से हम नायक कम्प्यूनिटी का मारल स्टेन्डर्ड ऊंचा उठा सकते तो यह ज़्यादा अच्छा हो, जैसे कि पण्डित बदोदत्त जी ने फ़रमाया है कि उन्होंने और उनके दास्तों ने इस कम्प्यूनिटी के अन्दर काम किया है और इस काम में उन्हें कामयाबी हासिल हुई है। शायद उन्होंने आधी तादाद से ज़्यादा नायक लड़कियों को प्रोस्टीट्यूशन का पेशा इस्त्रियार करने से बचा लिया यह बड़ा अच्छा काम है। अगर गवर्नमेन्ट ऐसा करती कि जो लोग नायक कम्प्यूनिटी में काम कर रहे हैं उनको माली मदद देती और नायक कम्प्यूनिटी में तालीम का प्रचार किया जाता तो मेरे ख़याल से थोड़े दिनों में नायक कम्प्यूनिटी को छुड़ इस बात का पहसास हो जाता कि ऐसा ज़लील पेशा उनकी लड़कियाँ इस्त्रियार न करें। यह ज़्यादा अच्छा तरीका होता लेकिन शायद ज़रूरत यह समझी गई कि जल्दी काम हो और ज़्यादा अच्छे ढंग से काम हो इस लिये यह क़ानूनी मसविदा बनाया गया। अच्छा हो अगर हमको इससे कामयाबी मिले लेकिन जो लोग इस मामले में मज़हब को लाते हैं उनसे मेरो इस्तदुआ है कि मज़हब को आप मेहरबानी कर के घसीट कर न लायें। बदक़िस्ती से हमारे मुल्क में मज़हब भानमती का एक ऐसा धैना पैदा हो गया है जिससे आप ख़राब से ख़राब और अच्छी से अच्छी दोनों तरफ़ की चोज़ों को निकाल कर दुनियाँ के सामने पेश कर सकते हैं। मज़हब के नाम पर इस वक्त इस मुल्क में जितनी ख़राबियाँ पैदा हो गई हैं या पैदा हो रही हैं इतनी ख़राबियाँ किसी दूसरे मुल्क में नहीं हैं। यह हमारे लिये शर्म की बात है और जो मज़हब इन ख़राबियों को जाइज़ समझता है और इनकी इजाज़त देता है उस मज़हब के लिये भी शर्म की बात है। मैं इस बात के ऊपर ज़्यादा आप का वक्त नहीं लेना चाहता हूँ। लेकिन मुझे एक ख़तरा और भी मालूम होता है और इस तरफ़ सेलेक्यू कमेटी का ख़ास तौर पर ध्यान आकर्षित करना चाहता हूँ आप के इस मसविदे में जो शर्त १८ बर्ष की है क्या उस उम्र के बाद नायक लड़की को आज़ादी होगी कि वह जो चाहे सो करे। ख़ैर इसको भी जाने दीजिये। लेकिन १८ बरस की जो कैद है वह न्याय पूर्ण नहीं मालूम होती। वह इस तरह से यह कैद किसी दूसरी कम्प्यूनिटी या किसी दूसरे फ़िर्क़ के लिये नहीं है जो कैद आप नायक लड़कियों के लिये रखते हैं। नतीजा इसका यह होगा कि उन जगहों में जहाँ नायक लड़कियाँ इस तरह का पेशा करती हैं, दूसरे फ़िर्क़ों की लड़कियाँ लाकर पेशेवर लोग इस किस का पेशा करायेंगे क्योंकि दूसरे फ़िर्क़ों के लिये १८ बरस की ऐसी कोई कैद नहीं है। मुझे ऐसा मालूम होता है और यह मुमकिन भी है कि बदमाश लोग इस तरह के पेशे वालों को इसी तरह की शह देंगे कि दूसरे फ़िर्क़ों की लड़कियों को वेष्टायन के पेशे में लावें। यह दूसरे फ़िर्क़ों के लिये बहुत बुरी बात होगी। ज़रूरत इस बात की है कि अगर आप नायक लड़कियों के लिये १८ बरस की कैद रखते हैं तो क़ानून में कोई इस तरह की पाबन्दी भी पैदा कर दें जिस से १८ बरस से कम उम्र की

[Babu Ganesh Shankar Vidyarthi.]

किसी फिर्के को कोई भी लड़की किसी तरह भी वैश्या वृत्ति न अखियार कर सके। अगर आप ऐसा नहीं करते तो इसका नतीजा मुझे तो लाजिमी तौर पर यह मालूम होता है कि पहाड़ों में दूसरी कम्युनिटी को लड़कियां भगाई जायेंगी और वे प्रोस्टीट्यूशन यानि वैश्यावृत्ति करेंगी। प्राचीन काल में पहाड़ों पर ऋषि मुनि तपस्या करते थे तब की बात जाने दोजिये। अब तो जमाना ऐसा है और ज्यादातर ऐसा होता है कि जो लोग गरमो के दिनों में पहाड़ों पर जाते हैं उनमें काफी तादाद ऐसे आदमियों की होती है जो कि शहवत परस्त होते हैं। मैं बहुत सज़ाई के साथ इस बात को पेश कर रहा हूं और इसके लिये मुझाफ़ी चाहता हूं। जब ऐसे शहवत परस्त लोग पहाड़ों पर पहुँचेंगे तो Demand and Supply का मसला पेश हो जायगा। उस समय पर यह होगा कि लड़कियां ज़रूर मिलनी चाहिये। आपने नायक लड़कियों में १८ बरस तक की उम्र का रास्ता रोक दिया है इसका लाजिमी नतीजा यह होगा कि हिस्स को दूसरी कम्युनिटीज़ की लड़कियां हासिल की जायंगी और शहवत परस्ती की बलिबेदी पर चढ़ा दी जायंगी इस लिये मैं यह ज़रूरी समझता हूं कि सेलेक् कमेटी इस बात का ध्यान रखे और वह क़ानून में कोई ऐसा परिवर्तन करा सके कि १८ बरस से कम उम्र की सभी लड़कियां किसी तरह से भी प्रोस्टीट्यूशन के पेशे में न लाई जा सकें ॥

Pandit Govind Ballabh Pant: I regret that some of the honourable members of this House who have spoken on the motion that is under consideration have introduced a spirit of levity in the remarks made by them. It seems to me to be a solemn occasion. The question with which we are concerned is one which can only compel us to turn down our heads in shame. It is a matter of considerable humiliation and concern that in this year of grace 1927 such a disgraceful practice should still be in vogue and it should be necessary for the honourable members of such a serious assembly as this to devise measures in order to put an end to such an abominable and vicious practice. I presume that the honourable members of this House are acquainted with the genesis and the history of this measure. It is the outcome of a resolution which was moved on the floor of this House by one of the prominent and active members, the predecessor of Rai Bahadur Babu Mohan Lal, on September 11, 1924. It ran thus:—

“That this Council recommends to the Government to take immediate and effective steps to put a stop to the prevailing practice of selling, buying, and bringing up of minor girls for immoral purposes in these provinces generally and in the districts of Naini Tal, Almora, and Garhwal, and with a view to suggest such steps at an early date to appoint a committee of this House with a non-official majority.”

If you permit me, Sir, to refer to the last part of this resolution, I may state here that this amendment was made at the instance of Rai Bahadur Lala Sita Ram, the then member for Meerut on the floor of this House. In consequence of this resolution a committee was appointed by the

Government in which all schools of thought in this House were fully represented. The committee was presided over by the Commissioner of Kumaun. It co-opted some of the members of the Naik community and had some representatives of the associations which had been carrying on reform work in their midst. A Bill was framed by that committee and it is at present before us in a mutilated form. So I may state here that the measure that is before us is much milder than what was suggested by the committee in which we had the representatives of this House, the representatives of the Naik community, and the representatives of those bodies who are associated with the work of reform among Naiks. The Government has never shown any enthusiasm over measures of reform, whether in the political or in the social field. It has often and invariably fought shy of them, and I am not surprised that in this case too the Government has adopted an unusually cautious and prudent course.

Sir, it is an irony of fate that in the early days of the advent of British rule there was a spirit among the administrators which felt a rude shock whenever they came across practices of an inhuman, immoral or undesirable character, but gradually they have shed that element altogether and have grown blunt. Now, it is only monstrous products like those of Miss Katherine Mayo which serve to remind us of the weak spots which are unscrupulously distorted and exaggerated and mixed up with gross untruth and foul and base calumnies attributed to the Indian people, but so far as the spirit of reform in the Government which is presided over by persons who are more akin to her than we are is concerned, it is absolutely lacking. It is no wonder then that the measure which is before us is in a much weaker and feebler form than what one would have liked it to be. It is not strange that the Government has not even adopted the Bill that was sent to it by a committee presided over by the Commissioner of Kumaun, of which the Deputy Commissioner of Naini Tal was the secretary and the report of which was unanimous.

Sir, along with it there were certain recommendations made by that committee and one of these recommendations was that the attention of all district magistrates should be called to sections 372 and 373 of the Indian Penal Code as recently amended, since it is understood that these sections are at present practically a dead-letter. This report was made some time in August, 1925, and I put some questions in one of the recent sessions of the Council about the action taken by the Government on this recommendation and was told that the Government had taken no notice of it whatsoever. The provisions of sections 372 and 373 at present altogether prohibit any prostitute from keeping any minor with her. Yet we see that in cities there are little girls who are being trained by the older folk who carry on prostitution, and who are preparing them for that profession. Yet the magistrates or the police officers do not take any account of the law whatsoever. If the provisions of sections 372 and 373 were enforced strictly it would not have been possible for any prostitute to keep a girl of less than 18 years with her and she would have been amenable to the provisions of this law and would have been convicted in accordance with the provisions of section 372. This was noticed by the committee that no action was being taken in pursuance of this amended provision of law and the attention of the Government was invited to these sections just to meet those difficulties which have been pointed out by my friend from Cawnpore. But, as is not unusual, Government did not care to move

[Pandit Govind Ballabh Pant.]

in a matter which affected the morals of the Indian community as such, Sir, I have also taken note of the remarks made by the honourable member for Kumaun and Pilibhit. He will, I hope, be relieved to hear that the Bill as it emanated from the committee presided over by Mr. Stiffe was of a general nature. It was not confined to the Naiks only. It was designed to meet the case of all those people who hereditarily carry on the profession of prostitution. It empowered the Government to notify all those communities and to apply the provisions of the Bill to those classes who were proved to be the victims of such a nefarious practice.

Voice of—(Who are they?)

I would leave that to the honourable member for Pilibhit-*cum*-Kumaun to mention in detail. But I have no doubt that there are other communities among whom such practices do prevail. My friend Mr. Bedar spoke to me this morning about this and he gave me the names of a number of such communities. It is not necessary for me to give a general list of the communities and point out all these details. I may mention to the honourable members of this House that I have personally given notice of a Bill which is likely to meet the case of all classes. Government would not introduce such a Bill. The Government of India, however, have accorded their sanction to my introducing that measure in this House. I had requested the Government to publish that Bill in the Gazette along with the one now before the House so that both of them might be considered simultaneously by the Council. The Government have in their wisdom not considered it fair, or proper or expedient to extend such an indulgence to a non-official measure in which their interest is not very spontaneous and hardly a real one. Anyway my request was for publishing the measure and the rest I could have managed, but they have not chosen to do so. Sir, the other questions that have been raised by Pandit Ganesh Shanker Vidyarthi and the member for Pilibhit and Kumaun were also envisaged by that committee which dealt with this question, and they had made certain recommendations which find place in their Bill as sections 18 and 19, which were exactly meant to deal with these problems. They provided therein that every person who lived on the income of prostitution and was consequently interested in the propagating of such evil practices, would be criminally liable to be punished with a sentence which might extend even to two years. They had further provided that whenever any girls were kidnapped, whether a minor or a major, by any person, carrying on the profession of prostitution she would be liable to be punished heavily and severely. It was exactly meant to meet these difficulties which have been pointed out in the course of the discussion today. But the Government have omitted these provisions from their Bill. I hope it will not be considered presumptuous on my part to say that the gentleman who has drafted the Government Bill does not seem to be seized of the problem; he does not seem to have grasped the actual issues which have to be grappled with and for which a solution has to be found. If you will look at this Bill for example, you will find at the very outset that it meets only the case of the Naiks who live in villages. In clause 2 we have "Naik community means all the members of the Naik caste residing in one village." In sub-clause 3 we have the description of the Naik community, which means any Naik community in respect of which a

notification has been issued under section 3. So that under this Bill you can touch only the Naiks who live in villages. Where a Naik does not live in a village he is immune from the provisions of this Bill. It is not possible for Government to issue any notification to prevent him from carrying on such a profession. So that on the very face of it it is a Bill in which the persons who have been concerned with its drafting have decided that so far as cities are concerned there is all purity, all cleanliness, and nothing open to objection and it is in villages that the evil prevails and it is villages that must be brought under the rod. Similarly, if you go further you will find that the Bill does little credit to Government in so far as they have modified the provisions of the original Bill as it came from the committee that was appointed by them. I will soon be introducing the other Bill to which I have referred and then it will be possible for us to bring forward a measure of a comprehensive type and which will in fact deal effectively with the evil which we profess to deal with by means of this Bill. I am not going into matters of history, but I may state here that so long ago as 1857 a regulation was issued with a view to putting an end to a practice of this sort. But the executive officers did not take note of it. Later on it was in a way abrogated. So far as the local authorities in Kumaun are concerned, a man like Sir Henry Ramsay wrote a letter saying he simply begged of Government to introduce legal measures in order to end an evil of this sort, but the Government did not listen. I hope that this Bill will get through and after it has been put on the Statute Book the Government will not be satisfied only by giving a nominal place to it in the Statute Book but they will see to it that actual effect is given to it and that their officers are not only required to place it in some dusty corner of their room but to see to it that it is applied in practice so that in course of time the evil may come to an end. I may add here that we do not rely only on legislative measures. We know that moral suasion must go hand in hand with law in these matters. It is a question affecting the reform of society, affecting social progress. It is an irony to say that there is any religion which sanctions such a practice. Nothing can be more irreligious, nothing can be more blasphemous than to associate the name of religion with practice of this sort. It is absolutely against every dictum of religion to have any community in its midst with this inhuman practice. The main object of the measure is to prevent the contamination of the girls before they attain the age of majority. It is to protect them against such influences as would tend to poison their minds before they have attained the age of majority. After that they are free to make their choice as every other member of society is. Whether men will encourage prostitution or not, it is for them to decide. It is after all not a unilateral function. It is for men to see to it that they lead a pure life. It is at the same time the duty of the State to protect youngsters from such influences as tend to lead them to the path of villainy. It is, I think, that principle on which this Bill is based and I hope that nobody whether in this House or outside will be misled by any false cry of interested persons. Honourable members of the House will be gratified to hear that a goodly number of members of the Naik community are heartily in support of this measure. They themselves are anxious that some such instrument should be brought into force as will help them in carrying on their reforming activities and I hope and trust that there will be no difficulty of any sort whatsoever in giving effect to their wishes.

[Pandit Govind Ballabh Pant.]

Some gentlemen here have suggested that ways should be found out for getting bridegrooms for the girls belonging to the Naik community. There has never been any difficulty. In fact, a number of marriages have been solemnized and there are people who are keen on marrying these girls. It is not considered a socially demoralizing thing in any way and there is no depravity attached to it in any manner whatsoever. So I hope that the measure will be amplified and that it will get such shape as will make it really effective. Government have made a change also in other directions. The sentence provided in the Bill is very severe. The sentence should be much lighter. And where a person fails to give the information he has to give under the law he should be punished with fine only. What is necessary is this, that these girls should be removed from harmful environments so that they may not become the victims of the pernicious practice. They should be placed in healthier surroundings. That is the main object which those who have to enforce this Bill should have before them. I hope the members of the Select Committee will see to it that the measure when it comes out will have assumed such a form as will make it really effective and helpful to those who are carrying on these activities for the good of the community at large.

Khan Bahadur Saiyid Jafer Hosain : I wish to propose a name to the Select Committee.

The Hon'ble the President : We can take that when the Council re-assembles after lunch.

At this stage the Council adjourned for lunch.

After the recess—

Bai Bahadur Chaudhri Jagannath Prasad : When I read the list of business for this day I thought that the motion standing in the name of the Hon'ble the Home Member richly deserved to be praised by honourable members of this House. I hope the honourable members will cordially thank the Government for bringing forward this Bill. I also thought that it certainly taught us a much-needed lesson. The history of the agitation which has assumed the form of this Bill has been given by the honourable member for Naini Tal. To my mind the introduction of this Bill by the Hon'ble the Home Member should convince us that when there is a public opinion, well organized and united, the Government is bound to yield. There have been many speeches on the subject and I do not think I ought to add one more to that number. But certainly I have to state here one or two things. The honourable member for Naini Tal has said that the punishment proposed in this Bill is too severe. He wants that it should only be in the form of a fine. I am totally against his proposal, because I think this despicable practice has been carried on for a very long time. As the honourable member for Naini Tal has said, no doubt there is an appreciable number belonging to that community which likes to reform itself. But it has to be admitted that there is a section which is opposed to reform. Therefore the punishment should be deterrent. I should say that the punishment should be more severe than what is proposed in the Bill. There was a time when the practice of ~~sati~~ was very prevalent in this country. But as the punishment

provided for it was very severe it has been stopped. So in order to stop every bad practice the punishment should be deterrent.

I now come to the second point to which I wished to draw the attention of the honourable members of this House. The honourable member for Cawnpore said that this measure should be so prepared as to include all communities. Certainly it is a very good and wise suggestion. My idea in this connexion is this. Let us accept what the Government is giving us now and agitate for more. I am not for refusing the little thing that the Government gives, but I certainly would ask for more. With these few words I resume my seat.

Rai Bahadur Babu Mohan Lal : I had no mind to speak on this measure, uncontentious as it is, but as my name has been introduced by my honourable friend Pandit Govind Ballabh Pant, I should express my views on the subject. I may assure the House that I am in no way less keen about this measure than my predecessor. This Bill as it is framed seems to me to be quite inadequate. It is well known that matters which are inculcated on the minds of children from old traditions of the family will remain in their minds throughout their lives. Now, as this community claims this practice by custom and religion, therefore anything which is inculcated on the minds of the little children from their infancy will remain throughout their lives. They will be nurtured and nourished in the atmosphere in which they were born. Therefore the remedy that is provided in the Bill, viz. that up to the year of 18 they should not be allowed to be taken away from their parents will not prove to be quite good and effective. If they get this idea that prostitution is a good thing and is in no way immoral or demoralizing, what will they do when they attain the age of 18? I think they will certainly go to prostitution as they think that it is a thing that is sanctioned by religion and by custom. Unless it is provided in the Bill that living by prostitution is illegal and punishable by law, this remedy will prove worse than the disease itself. I am in entire agreement with my honourable friend Pandit Govind Ballabh Pant, when he says that a clause should be inserted in the Bill which will make living by means of prostitution illegal, and I hope the members of the Select Committee will bear this in mind. Further, it has been stated that the marriage of the Naik girls will be very difficult to arrange. In my humble opinion, such will not be the case. If the members of the Naik community marry their sons in their own community the difficulty will be overcome. So far they have been marrying them outside their community, and selling their daughters for prostitution. If this practice is stopped, suitable matches will be available for Naik girls. I would, therefore, place before the members of the Select Committee two points for their consideration, namely, that the girls should on no account be allowed to be nurtured in the atmosphere in which they have been born, for it is saturated with the evil tradition that prostitution is no vice and that it has been sanctioned by religion or custom, and further, they should not be allowed to earn their living by prostitution. Until this has been done and living by prostitution has been made penal, this measure cannot be at all effective.

Thakur Manjit Singh Rathor : I just wish to say a few words in expressing my appreciation of the Government in bringing this Bill before the Council. The Bill does not go far enough, but as it is going to be

[Thakur Manjit Singh Rathor.]

committed to the Select Committee, there is no reason to fear that the existing defects will not be removed. The detractors of our nation have been spreading all sorts of things outside India. The members of the Council are aware of the mischief which the book written by Miss Katherine Mayo has done to the cause of India. It, therefore, seems fit and proper that the Legislature should express its emphatic opinion that it is bent upon eradicating the evil of prostitution by benevolent social legislation. It is a very happy thing that Government have come forward with this legislative measure. It is no doubt true that Government did not move in the matter of their own accord. They moved because of the resolution which was moved in the previous Council by Rai Bahadur Thakur Mashal Singh. Now, however, that the Government have come forward with a Bill, I hope that even those members who have in a half-jocular manner expressed a desire to make the Bill less stringent will declare in unmistakable and unambiguous terms that this House is definitely of opinion that this social evil, wherever it exists, must be rooted out completely, so that the fair name of our mother-country may not be blasphemed by writers of antagonistic views. Regarding the various provisions of this Bill, much has been said. I will only take the time of this House by repeating once more what is my very well considered and definite opinion and which was referred to by one other honourable member of this House. I hope the honourable members will see that this Bill will protect the interests of that community whose part and parcel these fallen castes are. I mean the Naik community is without a shadow of doubt, a part and parcel of our Hindu community and while the honourable members frame various sections and re-frame various sub-sections of this Bill, they should see to it that the settlements in which these girls—minor girls—are to be put, are run, are supervised and are controlled by none but a Hindu agency. This is my humble submission. The minors should not be segregated in settlements run by non-Hindus. I hope the honourable members who are members of the Select Committee will kindly see to it that our very legitimate desire on the subject is not ignored. There is no gainsaying that this Naik community, unlike the criminal tribes—in criminal tribes there are members of both the communities—is a part and parcel of the Hindu community. As a member of the Hindu community who is desirous and anxious to reform this community I have put the point for what it is worth. It is for the honourable members to decide. I hope that after making this suggestion to honourable members it is not necessary for me to say anything more at this stage and I recommend that the Bill be put before the Select Committee.

Khan Bahadur Saiyid Jafer Hosain : I propose the name of Mr. Mukandi Lal for the Select Committee.

Mr. H. C. Desanges : I would like to second that proposal and also to propose that two members of the Naik community should be co-opted.

The Hon'ble the President : It is not possible. This is a Select Committee of the House.

Pandit Rahas Bihari Tiwari : I propose the name of Pandit Venkatesh Narayan Tiwari.

Bhaiya Hanumat Prasad Singh : I second the proposal.

Hafiz Muhammad Ibrahim : I propose the name of Thakur Manjit Singh Rathore.

The Hon'ble the President : The motion before the House is that the Naik Girls' Protection Bill be referred to a select committee composed as follows :—

- (1) Pandit Govind Ballabh Pant,
- (2) Pandit Badri Dutt Pande,
- (3) Pandit Rahas Bihari Tiwari,
- (4) Babu Bhagwati Sahai Bedar,
- (5) Sardar Nihal Singh,
- (6) Saiyid Habib-ullah,
- (7) Kunwar Surendra Partap Sahi.
- (8) The Legal Remembrancer to Government, and
- (9) The Secretary to Government in the Judicial department.

Since then it has been proposed and seconded that the names of the following be added to the select committee as proposed :—

- (1) Mr. Mukandi Lal.
- (2) Pandit Venkatesh Narain Tivary, and
- (3) Thakur Manjit Singh Rathor.

Question, that the three names mentioned above be added to the select committee, put and agreed to.

Question, that the Naik Girls' Protection Bill be referred to a select committee composed of the twelve members mentioned above, put and agreed to.

SUPPLEMENTARY ESTIMATES.

Grant No. 8.—Irrigation Works charged to revenue.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head Irrigation Works charged to Revenue, a sum of Rs. 62,600 be provided, and move that this sum be voted.

Chaudhri Dharamvir Singh : I beg to move a token reduction of Re. 1 in the item concerning Irrigation Works charged to Revenue under the head Irrigation Works for which accounts are kept under sub-head maintenance and repairs.

My motion is for a token reduction. My object is simply to elicit certain information. I want to know when the Kitcha Weir was last repaired and what was the amount of money spent last time on its repairing and when it was first built. My purpose in asking for this information is quite simple. What generally happens in such cases is that quite a good deal of money is spent without due care. But it is our duty to see that money is properly spent and that strong materials are put into the building. Is it not always the case that poor material is put in and in course of time the building gets destroyed? So, there is no use granting sums of money for things which must soon get out of repair because no pains are taken to ensure that only good and efficient material is used. This was the only purpose I had in view.

The Hon'ble Sir Sam O'Donnell : I had some difficulty in following the honourable member, and I am afraid that if I have understood him aright, I cannot give him the details which he asks for. He wishes to know exactly how money has been spent in the past on repairing this weir. Well, I do not know. Of course I can find out quite easily later on, but at the moment I cannot say. I am sure, however, that the Irrigation department have not wasted any money on this weir. They have been economizing as well as they could. They have only proposed this weir because they have found that other measures have failed. It is a question between taking the risk of having to abandon irrigation in this area or carrying out the work.

Chaudhri Dharamvir Singh : Will the Hon'ble the Finance Member tell us when was the weir last repaired ?

The Hon'ble Sir Sam O'Donnell : I am speaking from memory. My recollection is that they have tried for several years to patch up the weir and they have come to the conclusion that the only safe course is to extend the weir.

The motion was put and negatived.

Chaudhri Dharamvir Singh : I beg to move a token cut of Re. 1 in the item concerning Protective Works for which capital accounts are kept under the head "Establishment." My purpose in bringing forward this motion was the same as in the former motion, but as I find that no useful purpose has been served by the former motion, inasmuch as no information has been supplied to me, I think there will be therefore no use in my continuing to speak on this motion.

The motion was put and negatived.

Pandit Govind Ballabh Pant : I propose that the sum of Rs. 62,600 be reduced by Rs. 2,600. If honourable members will refer to the volume of supplementary estimates they will find that under sub-head 3, subparagraph 3, there is a provision of Rs. 2,600 for establishment. The explanatory note is given on page 5 under the head establishment charges, paragraph 3.

There it is stated that a temporary sub-division will be required for a total period of eight months in the Dhasan canal division, and this provision is for 3½ months. Further on it is stated that "Sufficient provision for the work exists in the current year's budget." I oppose this part of the demand on two grounds. Firstly, because I hope I am not disclosing any secrets when I say that the matter never went up before the Finance Committee and it is being brought up before the Council for the first time. It is an accepted canon of financial administration that no proposal that has not passed through the Finance Committee should be placed before the House. So it is on a constitutional ground that I consider it improper for this House to accept a recommendation from the Government so long as it has not been scrutinized by their representatives in the Finance Committee.

The other reason is that provision for this work already exists in the current year's budget. The staff that was provided for carrying on the activities of the Department for this year was determined by the amount of the provision made in the budget. When an amount can be found for any work out of the budget, then the staff for carrying out that work should also

[Pandit Govind Ballabh Pant.]

be made available out of the staff provided at the beginning of the budget year. So there should be no reason or necessity for adding to the existing staff. There is another reason. The Government has recently brought a proposal for the reduction of the number of the subdivisions in the Irrigation department. They are satisfied that there is a surfeit of officers and there is a larger number of sub-divisions than they should retain. In the circumstances it is certainly easy for them to shift one of the sub-divisions in the Dhasan canal and there should not be any necessity for spending any additional money for this purpose. For these reasons I oppose this demand and I hope the Hon'ble the Finance Member will see his way to accept my proposal.

The Hon'ble Sir Sam O'Donnell : As regards the first point taken by the honourable member for Naini Tal, it is a fact that this particular item did not go before the Finance Committee. That really was not the fault of the Finance department, as the Irrigation department did not put the matter up in time. They only came forward with this request for extra establishment after we had held the Finance Committee meeting. We obviously could not hold a meeting of the Finance Committee merely for a matter of Rs. 2,600. As regards the need for this money, I am sure it is essential to have this small sub-division in charge of the work. There must be men on the spot looking after the work from day to day. The rest of the staff is engaged on a variety of duties and they cannot spare the whole of their time to looking after this small work. It is not a large sum; it is only a sum of Rs. 2,600 and I think the Council might, in a matter of that kind, accept the opinion of the Chief Engineer. The Chief Engineer, Mr. Jwala Prasad, is always considering how he can economize, and he would not have asked for this staff if he had not considered it necessary.

Pandit Govind Ballabh Pant : The reply of the Hon'ble the Finance Member has further strengthened my case. He says that even the Finance department had not received the proposal in time to enable them to place it before the Finance Committee. The Finance Committee meeting was held so late as the 23rd September last, so that barely a month has since passed. I gather from his remark that even the Finance department got the proposal after the meeting of the Finance Committee; so I infer that even the Finance department had not had sufficient time to examine this proposal. They are rushing it through, and I am not surprised that the Hon'ble the Finance Member, as the head of the Finance department, is being led away by his sympathy for the Irrigation department which is under his control and is consequently not very particular about the canons of finance which he ordinarily observes with regard to such expenditure. In the circumstances, I think it is but fair that the proposal should not be accepted, not only because it has not been placed before the Finance Committee, but also because the Finance department itself has not had time to scrutinize it with that care which is due from that Department. The other thing he said was that the work was essential. I never raised that point at all. I assume that it is, not only essential, but it is an urgent necessity. The other point is whether further charges should be incurred under the head of establishment. Of course this sum of Rs. 2,600 by itself is a small amount. It does not come up even to the Hon'ble the Finance Member's pay for ten days or a fortnight,

but a pie, too, is of some value when we consider the condition of the tax-payer. Looked at from that standpoint it is not altogether a negligible amount. So, when we are told that funds can be found out of the provision that exists in the budget my contention is that the staff that we have appointed at the time when provision was made in the budget should be able to cope with all those works which can be found within the amount budgeted for the purpose at the time. In these circumstances I see absolutely no reason why the Council should vote this money.

The Hon'ble Sir Sam O'Donnell: I can assure the honourable member for Naini Tal that, although this proposal came late before the Finance department, it was carefully examined and was not included until the Finance department was satisfied that the money was really required. As regards the need for this staff, if I understand the honourable member for Naini Tal aright, he considers that the work can be done by the ordinary staff. That point has been considered and the Chief Engineer holds that that cannot be done because we require for this work a small staff who will be always on the spot looking after the construction work, whereas the ordinary staff has a variety of duties to carry out. I think in a small matter of this kind, the Council might really accept the opinion of the Chief Engineer. I am quite sure that even if a business firm were dealing with the construction of a large work, they would certainly take the advice of their principal engineer as regards the exact establishment which he requires. Naturally they would scrutinize carefully proposals for large establishment, but when it was quite a small sum I think they would be content to be guided by the expert advice of their engineer. I think the Council might well be guided in this matter by the expert opinion of the Chief Engineer.

The motion was put and the Council divided as below :—

Ayes, 35; Noes, 45.

Ayes.

Babu Lakshmi Narayan Gargh.
Babu Ganesh Shankar Vidyarthi.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chandhri Vijai Pal Singh.
Chandhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Hukum Singh.
Thakur Gulab Singh.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chandhri Badan Singh.
Thakur Sadho Singh.
Rao Udaibir Singh.
Babu Kishori Prasad.
Pandit Moolchand Dube.

Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Mr. C. Y. Chintamani.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Husain.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Jagannath Bakhsh Singh.
Pandit Iqbal Narayan Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.

Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliott.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.

Noes.

Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Col. R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke,
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. C. Desanges.
Babu Rama Charana.
Thakur Partap Bhan Singh.
Thakur Bikram Singh.
Raja Kushal Pal Singh.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Rai Bahadur Babu Abhainandan Prasad.

Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Haji Abdul Qayum.
Mr. Muhammad Abdul Bari.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Saiyid Jafer Hosain.
Khan Bahadur Sheikh Saiyid Muhammad alias Maiku Mian.
Shaikh Muhammad Habib-ullah.
Kunwar Bisheshwar Dayal Seth.
Mr. E. M. Souter.
Mr. J. P. Sriyastava.

The demand for a sum of Rs. 62,600 for irrigation works charged to revenue was put and voted.

Grant No. 9—Charges against the Famine Insurance Fund.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head Famine Insurance Fund a sum of Rs. 49,000 be provided and move that this sum be voted.

The Hon'ble the President: There are two motions: one by Khan Bahadur Hafiz Hidayat Husain for a reduction of Rs. 1,001 to be made out of Rs. 49,000 and the other by Mr. Chintamani for the omission of the whole demand. I may point out that, according to the present rules, motions for the omission of the whole sum are not now in order, but the honourable member for Partabgarh can move a motion for a substantial reduction and not for omission.

Mr. C. Y. Chintamani: Sir, with your permission I beg to move that this demand be reduced by a sum of Rs. 48,999.

My object in moving this motion...

The Hon'ble the President: I saw the Hon'ble the Finance Member rising. Is it any point of order?

The Hon'ble Sir Sam O'Donnell: It is an evasion of the rule to move an amendment of that kind, but I would not press the point.

Mr. C. Y. Chintamani: My object in making this motion is not that there should be no remission of the advances made to cultivators. By all means let there be remission, but it should be made out of a grant from the general revenues. The Famine Insurance Fund should not be employed for that purpose. I am aware that I shall be told that under the rules governing the Famine Insurance Fund remission of advances to cultivators is a legitimate charge upon the fund. In normal circumstances that explanation would be conclusive and unanswerable. But the circumstances are not normal, as has been pointed out more than once by more members than one on the floor of this House. The Local Government have raided the Famine Insurance Fund in successive years until at last, instead of the fund being somewhere in the neighbourhood of two crores, it is less than fifteen lakhs. I think this is what may be correctly described as the "rake's progress". For the reason that the Local Government have so treated the Famine Insurance Fund, have so evaded—I am indebted to the Finance Member for that word—if they have not broken the rule, I am opposed to the

[Mr. C. Y. Chintamani].

proposal to take out of the Famine Insurance Fund any money whatever until that is accumulated as it ought to be. This is the reason for this motion and I commend it to the Council.

The Hon'ble Sir Sam O'Donnell: I would invite the attention of the Council in the first place to the rules to which the honourable member himself has referred. He said that under those rules the debit of the remission to the Famine Insurance Fund is legitimate. But that is not an adequate statement of the case. The rule runs as follows:—

"When such loans have been granted, payments of interest on loans and repayments of principal shall be credited to the fund as they occur and irrecoverable loans shall form a final charge against the fund." Now, this sum of Rs. 49,000 was given from the Famine Insurance Fund as taqavi and everybody admits that that was a perfectly legitimate allotment of money from the Famine Insurance Fund.

The proposal now made is that this sum be remitted. If it is to be remitted, it must go, according to this rule, against the Famine Insurance Fund, and if it is not going to be remitted, then what is the position? The loan will remain as an arrear on our books and it will be the business of the tahsildar and others to go on trying to collect it. That can only mean that the unfortunate people who cannot make the payment will be harassed. Either the money is to be remitted or not to be remitted. If it is to be remitted, then there is no option in the matter as regards the debit; it must be debited under the rules against the Famine Insurance Fund. And if it is not remitted, then it remains on the books and every year the tahsildar will find Rs. 49,000 in arrears. He will try to collect the money and that will mean harassing the unfortunate people who cannot make payment. I am quite sure that the Council does not want this.

Mr. C. Y. Chintamani: What in normal circumstances would have been a perfectly legitimate thing for the Government to have done has become unreasonable on account of the illegitimate expenditure charged to the Famine Insurance Fund by this very Government. That is my only contention in reply to the Hon'ble the Finance Member.

The Hon'ble Sir Sam O'Donnell: I have nothing to add. As I have said, either the money is remitted or not remitted. If it is remitted, it must go against the Famine Insurance Fund under the rules. If it is not remitted, then you will be harassing these people.

The motion was put and negatived.

The demand as framed was then put and voted.

Grant No. 16.—Jails.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Jails," a sum of Rs. 12,275 be provided and move that this sum be voted.

Pandit Govind Ballabh Pant: I propose that the sum of Rs. 12,275 provided under the head "Jails" be reduced by Rs. 3,000. In fact I was tempted to oppose the whole of this demand but on reconsideration I thought that the Hon'ble the Home Member would grudge such treatment on my part, so out of regard for his genial personality I reduced the amount from that to this sum of Rs. 3,000. This amount is being

sought for the purpose of transferring the members of the criminal tribes that are at present located at one of the settlements which it is intended to close. The details are given on page 11. The expenditure is classified under the heads "recurring" and "non-recurring." My motion is confined to the sum of Rs. 3,000 provided therein for "quarters for the manager". If honourable members will refer to paragraph 2 on page 11 of the estimate, they will find there these words:—

"Except in the case of Bareilly, where a new block of ten houses will be required, accommodation is available in these settlements."

So this sum of Rs. 3,000 is not needed in order to provide additional accommodation for the persons that may be transferred to the settlement at Kanth, but it has been put down for quarters for the manager. It must be borne in mind that it is not a Government settlement. All these settlements are in charge of the Salvation Army, and the Government make grants occasionally for these purposes in order to enable the Salvation Army to meet the cost of maintaining these settlements. It is not primarily liable for the maintenance of these settlements. The quarters for the manager that are being provided today may not be available for the residence of the manager tomorrow as it is open to the management to say "we close down and we will no longer have any settlement here." Moreover, it must be borne in mind that we are dealing here with supplementary estimates and under the rules supplementary estimates must be confined to purposes that are really of an urgent character. The manager, I presume, has been there all through. But if the settlement had been managed all the time without a manager, I do not think this novel liability should be taken up now. We can continue as we have been so far and let the settlement carry on its duties without having any manager over it. But I think it is right to conclude that there must have been a manager in charge of the settlement so far, and he must have been living somewhere. I do not think there has recently been an earthquake or that this area has been overflowed, so that there does not seem to have been any natural mishap. In the circumstances I do not know how there has been an urgency of this character which has impelled the Government to come forward with this demand for quarters for the manager. I am not objecting to other items that are mentioned here, though, as I submitted, it would have been reasonable for me to do so. The quarters for the manager are certainly not of an urgent character, they are not in any way connected with the shifting of the settlement from one place to its sub-divisions in these three places. In the circumstances I think the Hon'ble the Home Member will meet us halfway—in fact it is less than a quarter of the way—and accept this proposal for the reduction of the amount by less than a quarter.

The Hon'ble the President: There are similar motions in the names of Khan Bahadur Hafiz Hidayat Husain and Babu Sampurnanand.

Khan Bahadur Hafiz Hidayat Husain was not in his seat and Babu Sampurnanand said that he did not wish to move his motion.

Mr. R. J. S. Dodd: It appears to me that there is some mistake in this printed memorandum. The papers that I have show that this sum of Rs. 3,000 is required for officers' quarters. I do not know how this mistake has crept in. The increased expenditure on building officers'

[Mr. R. J. S. Dodd.]

quarters is due to the fact that it will be necessary to increase the staff by an extra clerk and a teacher. I see here in the memorandum that an extra clerk and a teacher will be provided and I presume these office quarters will be required for them, so it appears that this money is not meant for quarters for the manager.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As I knew before, this is a misprint and that is the reason why my friend wanted to cut it down. It is obvious that Rs. 3,000 would not be sufficient for a house for the manager. Most probably it is for the extra clerks and teacher who are to get small quarters. I hope my friend the member for Naini Tal will not grudge this amount for the poor clerks and teacher.

Pandit Govind Ballabh Pant : The Hon'ble the Home Member has not been fully informed as to the object for which this money is wanted. It is not being spent directly through Government agency. It is being granted to another body to be used for some definite purpose. Government themselves are not clear as to the object for which the Salvation Army is seeking this grant. I am not sure, but I should not be surprised if it were correct and if my impression is not in any way wrong, that this matter, too, perhaps did not go before the Finance Committee. So it is an additional reason for scrutinizing these items with care and for seeing whether these sums are actually needed. The Government for the time being can make a grant of Rs. 9,000. There should be some meeting of the Legislative Council hereafter and if the Hon'ble the Home Member thinks it necessary to come forward for this amount again he can make a motion later, place precise information before us as to the object for which the money is needed, and seek this grant. As it is, I am not prepared to be a party to this wastage of public money without even getting precise and accurate information as to the object for which the money is needed. I think that much courtesy is due to the tax-payer if not regard from the Finance Department, and from the Home Member who is at present in charge of the funds which are contributed by him.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This matter did not go before the Finance Committee—that is true. It came afterwards, and as it was regarded as very urgent it was put in the supplementary estimates. As a matter of principle I take great care that nothing should come before the Council without its first being placed before the Finance Committee. I am very sorry. I hope the honourable member will not object this time. In future we will always take care that these items go before the Finance Committee before coming to the Council.

The question was put and the House divided as below :—

Ayes, 36 ; Noes, 45.

Ayes.

Babu Lakshmi Narayan Gargh.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Hakim Singh.
Thakur Gulab Singh.

Ayes.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Rao Udaibir Singh.
Babu Kishori Prasad.
Pandit Mool Chand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Thakur Shiva Shankar Singh.

Ayes.

Rai Bahadur Thakur Hanuman Singh.
 Bhaya Hanumat Prasad Singh.
 Pandit Govind Ballabh Pant.
 Pandit Badri Dutt Pande.
 Mr. Mukandi Lal.
 Rai Bahadur Pandit Sankata Prasad Bajpai.
 Mr. C. Y. Chintamani.

Nawabzada Muhammad Liaqat Ali Khan.
 Hafiz Muhammad Ibrahim.
 Rai Bahadur Lala Bihari Lal.
 Rai Bahadur Lala Mathura Prasad Mehrotra.
 Raja Jagannath Bakhsh Singh.
 Pandit Iqbal Narayan Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell.
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 The Hon'ble Thakur Rajendra Singh.
 The Hon'ble Nawab Muhammad Yusuf.
 Kunwar Jagdish Prasad.
 Mr. H. S. Crosthwaite.
 Mr. Pauna Lal.
 Sir Ivo. Elliott.
 Mr. J. H. Darwin.
 Mr. H. A. Lane.
 Mr. R. L. Yorke.
 Mr. R. Oakden.
 Mr. A. W. McNair.
 Khan Bahadur Chaudhri Wajid Husain.
 Mr. E. L. Norton.
 Mr. F. F. R. Channer.
 Mr. R. J. S. Dodd.
 Lieut.-Colonel R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.
 Mirza Muhammad Sajjad Ali Khan.
 Khan Bahadur Mr. Masud-ul-Hasan.

Mr. H. C. Desanges.
 Rabu Rama Charana.
 Thakur Pratap Bhan Singh.
 Thakur Bikram Singh.
 Raja Kushal Pal Singh.
 Pandit Shri Sadayatan Pande.
 Raja Sri Krishna Dutt Dube.
 Rai Bahadur Babu Abhinandan Prasad.
 Sirdar Nihal Singh.
 Rai Bahadur Chaudhri Jagannath Prasad.
 Rai Bahadur Babu Mohan Lal.
 Haji Abul Qayum.
 Mr. Muhammad Abdul Bari.
 Saiyid Tufail Ahmad.
 Khan Bahadur Shaikh Zia-ul-Haq.
 Lieut. Nawab Muhammad Jamshed Ali Khan.
 Maulvi Saiyid Habib-ullah.
 Khan Bahadur Saiyid Jafer Hosain.
 Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
 Shaikh Muhammad Habib-ullah.
 Kunwar Bisheshwar Dayal Seth.
 Mr. J. P. Srivastava.

Hafiz Muhammad Ibrahim : I beg to move a token reduction of Re. 1. My object is to make certain inquiries. Are the buildings which were constructed during the term of the lease to be given to the Government of India or will they remain the property of the Local Government? Is it not possible for Government to shift these people to one settlement instead of distributing them in three different places? It is just possible that this may be inconvenient to them after having lived together for so long. A third thing which I want to know is by whom, the Government of India or the Local Government the fort was maintained during the term of the lease. If it was maintained by the Government of India how much money did they spend on its conservation annually?

Babu Bhagwati Sahai Bedar : I have a very great and a legitimate grievance against the Hon'ble the Home Member in this connexion. We the non-official members although entitled to visit jails situated in our respective constituencies are not entitled to visit these settlements. Last time Babu Ganesh Shanker Vidhyarthi wanted to visit a settlement at Cawnpore but was cruelly refused to do so. I think that the Hon'ble the Home Member should give us information on this point and remove this disability.

Chaudhri Dharamvir Singh : I want to know whether any member of this Council not resident in Bijnor district will be permitted to visit any of the settlements? Can he visit them off-hand at any time without notice?

[Pandit Rahas Bihari Tiwari :

श्रीमान् समापति महोदय,

जैसा कि अभी बाबू भगवती सहाय बेदार ने कहा है कि पं० गणेश शंकर जो विद्यार्थी ने कल्याणपुर सेटिलमेंट में जाने की आज्ञा मांगी थी कि उसको जा कर देखें लेकिन उनको आज्ञा नहीं दी गई। जुलाई में एक पत्र पं० वेंकटेश-नारायण तिवारी ने होम मेम्बर साहब के पास भेजा था उस में भी इस प्रकार की आज्ञा मांगी गई थी जिसमें लिखा गया था कि पं० वेंकटेश नारायण तिवारी और मैं जा कर सालवेशन ग्रामी के सेटिलमेंटों को देखें जो कि हमारे प्रान्त में हैं। होम मेम्बर साहब ने इस का उत्तर दिया कि इसका उत्तर शीघ्र ही मेरे पास भेजा जावेगा लेकिन शोक की बात है कि आज तक इसका उत्तर हमारे पास नहीं आया। और हमको इन सेटिलमेंटों के देखने की आज्ञा नहीं दी गई। जब जेल देखने के लिये हम लोग भेजे जाते हैं तो कोई कारण प्रतीत नहीं होता कि

Khan Bahadur Mr. Masud-ul Hasan: He is using such words that I cannot understand.

The Hon'ble the President: I cannot help that. This is one of the vernaculars of the Province.

Pandit Rahas Bihari Tewari: उसी प्रकार से इनके देखने की आज्ञा क्यों नहीं दी जाती। नहीं मान्य यह क्यों कानफीडेन्शियल रक्खा जाता है। इस में क्या कोई गुप्त रहस्य है। जिसके कारण हमको आज्ञा नहीं दी गई अगर यह बात नहीं है तो जब आर्थ प्रतिनिधि समा संयुक्त प्रान्त की ओर से हमने तारीख चार अक्टूबर को चीफ सेक्रेटरी महोदय की सेवा में पत्र भेजा और उनसे प्रार्थना की जैसा कि मार्च में बजट के समय इस हौस को भेजा था कि ये वे सेटिलमेंट जो कि सालवेशन ग्रामी के हाथ में थे वह आर्थ प्रतिनिधि समा, सेवा समिति तथा अन्य हिन्दू आर्गेनीजेशन्स को दे दिया जावे.....

The Hon'ble the President: यह प्रश्न इस समय उपस्थित नहीं है।

Pandit Rahas Bihari Tiwari: यह प्रश्न उपस्थित नहीं है लेकिन मैं इसके साथ ही साथ श्रीमान् समापति जी से प्रार्थना करूंगा कि Criminal Tribes के सुधार का काम गवर्नमेन्ट सेलवेशन ग्रामी से ले रही है और Supplementary grant लेकर मैनेजर के मकान बनाने को खर्चा दिया जा रहा है तो ऐसी अवस्था में यह प्रश्न क्यों नहीं आ सकता जब कि दूसरी सोसाइटियां इस काम को अपने हाथ में लेने के लिये तैयार हैं तो गवर्नमेन्ट क्यों उन्हें देने से इनकार करती है और हमको कौरा उत्तर देती है कि सेलवेशन ग्रामी के सेटेलमेंट हमें नहीं मिल सकते ऐसी अवस्था में हम लोगों को चाहिये कि इस का विरोध करें और बड़े जोरदार शब्दों में विरोध करें और जो ग्रांट इसमें प्रोवाइड की गई है उसे पास न करें ॥

The Hon'ble the President: I must point out to honourable members that the policy of the departments concerned cannot be discussed at the

time of the supplementary estimates. That can be done in connexion with the budget. Of course if there is anything connected with the particular item under discussion honourable members are in order to speak to that.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The history of the whole thing is that the building was insecure and the Government of India wanted it to be repaired. It was very expensive to repair the whole building. As to the question of a new settlement being started,—I think it is more economical for us to distribute them instead of starting a new settlement. Besides, in the note the honourable members will find that after spending this money, which is non-recurring expenditure, we are going to have a saving of Rs. 5,500 recurring. Another point was raised by Mr. Bedar about visitors. I remember that during the budget debate I said I was going to ask. I remember very well that the question was asked and some reply was received. Those papers are not available here, as it was not anticipated that such a question would be raised in connexion with the supplementary estimates.

But I think we have received some reply and I will be able to inform my honourable friend privately if he will remind me.

Babu Bhagwati Sahai Bedar: What about Government settlements directly under the control of Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: They have got a visiting board and on that board there are five members of Council.

Hafiz Muhammad Ibrahim: There still remains one point to which no reply has been made by the Hon'ble the Home Member. There are certain buildings in the Fort which were erected for these Bhandus to reside in during the term of the lease. They were erected at the cost of this Government. It is mentioned in the note appended to the demand under discussion that Rs. 10,000 were spent on these constructions by our Government. Rs. 10,000 were spent on this. In this connexion my question was: whose property will these buildings be after the fort has been handed over to the Government of India? If they are to be given to the Government of India will they be given gratis or for consideration?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As far as the sheds are concerned we are removing them, and whatever remains in the shape of walls, etc., will remain there.

Pandit Nanak Chand: As archaeological monuments.

The motion was, by leave of the Council, withdrawn.

The Hon'ble the President: There is a motion for the omission of the whole demand in the name of Chaudhri Dharamvir Singh. As I have already said, it is not in order. Honourable members are quite within the rules in moving a reduction of a very substantial amount. If the object of the mover is to attack the whole grant asked for he can wait till the question of the whole grant is put, when he can oppose it wholesale. I wish to point out to honourable members that there are two alternatives. They can either reduce a certain demand as the honourable member for Partabgarh did, or when the whole demand is put before the House they can stand up and say that they oppose the whole thing. It practically comes to the same thing. If they are opposed to a grant on some principle, perhaps from their point of view the latter course would commend itself to them.

Chaudhri Dharamvir Singh : I understand that under the rules I shall not be out of order if I move that the amount be reduced by a substantial amount.

The Hon'ble the President : I have already said that.

Chaudhri Dharamvir Singh : I beg to move a substantial reduction of Rs. 12,224. My object in moving this reduction is that the whole question whether these criminal tribes should be entrusted to the Salvation Army, or whether they should be entrusted to such organizations as are professing the faiths professed by the tribes is coming up for the consideration of the House in a day or two in the form of a resolution. So, if the Council decides that these tribes should not be entrusted to the care of the Salvation Army, but to other organizations, then the grant of this money will not be proper. We can certainly wait till March next when, as I hear, the lease expires. The following words occur in the explanatory memorandum :—" The present lease expires next March and the Government of India have agreed to hand over the fort to the Local Government only on the following conditions :—(1) that the archaeological features of the building are conserved ; (2) that all estimates for repairs are counter-signed by an archaeological officer before work is put in hand ; and (3) that any measure of conservation brought to notice receives due consideration." From the reply of the Hon'ble the Home Member to a question by an honourable member I gather that the buildings erected in the fort by the Provincial Government, excepting a few sheds and the like, which can be removed, will be left in the premises of the fort. He also said that there will be no compensation claim by the Local Government from the Government of India. This means a loss to the Local Government. If the Local Government is going to suffer to a certain extent, I suggest that the Government of India be requested to let the fort remain under the Salvation Army for some months more, because after all it is a question between the Local Government and the Government of India which is no more than a question between a daughter and a mother.

An honourable member : Who is the daughter and who is the mother ?

Chaudhri Dharamvir Singh : Of course the Local Government is the daughter and the Government of India is the mother. After all the object in reclaiming these tribes is common to both the Governments and on the question of the reclamation of the criminal tribes the Government of India share their views with the Local Government. Therefore we will not be unreasonable if we request the Government to represent to the Government of India to let the fort be under the control of the Salvation Army for some months more—for six months or for one year. I do not suppose the matter is so urgent that the Government should come with a supplementary demand at the present moment, when the whole question with regard to the policy of the Government in this matter, that is, whether these criminal tribes should or should not be entrusted to the care of the Salvation Army, has been put before this House a number of times and when a resolution on that subject is coming before the Council in a day or two. I certainly agree that if the settlement at Najibabad is broken into so many parts and these are distributed into the other settlements there will be a saving on that account. This being the case, in normal circumstances we should have supported the demand, but as it is for reasons indicated by me already we have to oppose it. Then there is

another ground on which I oppose this demand and the ground is this. A question was put in June last by Pandit Govind Ballabh Pant. It will be found on page 506 of the Council proceedings for June 25. There is a series of supplementary questions :—

" Pandit Govind Ballabh Pant : With regard to the last sentence of clause (f), were any details of expenditure incurred in the Salvation Army settlement included in the annual budget ?

The Hon'ble the Home Member : They did not give details of expenditure.

Pandit Govind Ballabh Pant : Will the Hon'ble the Home Member be pleased to accept now that his answer does not meet my question ?

The Hon'ble the Home Member : I am not aware that any financial reports are sent by the Salvation Army.

Pandit Govind Ballabh Pant : Does Government receive any balance sheet or financial report from the Salvation Army ?

The Hon'ble the Home Member : I am informed that we do not receive any.

Pandit Govind Ballabh Pant : Is it not proper for Government to get such a report when it is making a grant to them ?

Babu Bhagwati Sahai Bedar : Are their accounts audited properly ?

The Hon'ble the Home Member : They are audited by their own people.

Pandit Govind Ballabh Pant : I have asked for these audit reports, but there is no answer to that.

The Hon'ble the Home Member : We have not got any such audit report from the Salvation Army.

Pandit Govind Ballabh Pant : Then I conclude that the Government make these grants without getting any financial report or audit report from them ?

The Hon'ble the Home Member : These statements are audited, but they do not send any financial statement or audit report to us.

Pandit Govind Ballabh Pant : Is it the intention of Government to send for these reports and for the audit reports and the balance sheets ?

The Hon'ble the Home Member : I will consider the question."

The sum total of this long discussion was that the Hon'ble the Home Member in the end agreed to consider the matter, but so far we are quite unaware of the result of this consideration. It will appear that the honourable member for Naini Tal in the course of his supplementary questions fully impressed on the Government the fact that it was not proper to grant large sums of money to an organization which was not even so courteous as to send its balance sheets or audit reports. Surely the Council is justified in demanding an explanation as to what happens to the money which is voted by it. As, Sir, we are altogether in the dark about the decision to which the Hon'ble the Home Member has come about sending for these audit reports and balance sheets, we are not prepared to grant the amount which is demanded here.

One reason in favour of the grant as put forward by the Government, is that the fort is situated so near the jungles that it cannot be made proof against the escape of settlers. Now, the criminal tribes have lived in the fort for a number of years, and no objection on this ground was raised by the Government, and I am sure that if a non-official member of this House would have asked the Government, to change the locality on this ground that the situation was such that the criminals could escape, the Government would have said perhaps " we have sufficient guard there and there is no reason why we should change it. The argument is frivolous " and so on. It appears to me that this is a matter that could have been considered by the Government long ago if it had been of any importance at all. There is no reason why this should be considered now. The real

[Chaudhri Dharamvir Singh.]

thing is that the lease expires, and they have put forward the ground of the fort being near the jungles in order to make their demand stronger. This is so because no new circumstances have arisen which could justify this new fear of the possible escape of settlers. In the circumstances I request the honourable members of this House to support my motion by voting unanimously for it.

Mr. R. J. S. Dodd: There are only two points which require an answer. One of them is in connexion with the lease. The plea of the honourable member is that the lease should be continued up to March. I think the sooner we take up the matter the better. If the honourable member will read the second paragraph of the explanatory memorandum he will see that there will be an annual saving of over Rs. 5,000 on account of this venture: that represents actually a 33 per cent. return on what we propose to spend. We cannot renew the lease, because the Government of India are not prepared to renew the lease, except on the terms which are given in paragraph 1. It is impossible for the Local Government to agree to these.

The other point raised by the honourable member is in regard to the auditing of the accounts of the Salvation Army. The Assistant to the Deputy Inspector-General of Police, Criminal Investigation department, inspects all these settlements and looks into the accounts regularly every year and a very detailed report of these accounts is sent in to the Deputy Inspector-General, Criminal Investigation department, and on that report the demand for money in the budget is based every year. Further, in accordance with an arrangement between the Finance department and the Director of Audit, the Deputy Inspector-General's review and a copy of the Assistant to Deputy Inspector-General's report are forwarded to the Director of Audit for any comment which he may wish to make. So there is really a very full audit of the accounts of the Salvation Army in connexion with these settlements. These are the only points raised by the honourable members which require an answer.

Chaudhri Dharamvir Singh: I find that the honourable the Inspector-General of Police has not been able to satisfy me on the grounds on which I objected to the demand. My point was that there was no immediate necessity of removing the settlement from Najibabad and breaking it into pieces and distributing it in other settlements. He says that the lease cannot be renewed, but my point was that the Local Government should take permission from the Government of India so that they could allow the settlers to remain there for some time more. Is it out of order for the Local Government to make a petition to the Government of India when they see that the object in the reformation of criminal tribes is common to both the Governments? It is in fact the duty of the Central Government to help the Local Government in every possible way. I do not think that they would refuse permission for such a small matter and of course if they do so, let the Local Government send their resignation to the Government of India saying:—"Come, manage your own affairs; you do not provide us with sufficient facilities and we therefore resign." The best thing would be to send a resignation in that case. That ought to be the course that the Local Government should adopt. There is no reason why, since a lease expires on a certain date, they ought not to have given us sufficient notice. Supposing you are living in a settlement for a number

of years, can one get it vacated by you only after a notice of a few months? To us a notice has only just been given. We never knew that the lease expired at such and such a date, and therefore if the Hon'ble the Home Member wants that we should submit to the demand or give our vote for the demand on this pressure that the lease expires on a certain date, I think it is putting us to an undue pressure, and, as a protest, we should not vote for the demand.

Then no answer has been given to this point of mine that a resolution on the subject has just to come before the Council. The whole question has to be examined. Sir, if you will allow me, I can give an example. I gave notice of a resolution for the last Council and it was disallowed on the ground that the subject of the resolution was *sub judice*. The same thing applies here. The whole question for grants to the Salvation Army is a matter *sub judice*. We are going to consider it in a day or two. Therefore it must be, as a matter of fact, out of order. Although I have no power to rule it out of order, yet I think the demand, morally, ought to be ruled out of order.

Then, Sir, the Inspector-General of Police was pleased to say clearly that the reports of the Criminal Investigation department officers about the audit of accounts of the Salvation Army are received by the Government and due care is taken before fresh grants are made. We thought, however, that the Hon'ble the Home Member was quite a responsible person. The information that we got to the question put in last June is really nothing. What he said then was that he does not know. If such high personages as the Hon'ble the Home Member and Members of the Executive Council show such a lack of knowledge, that they cannot even say whether or not the reports are received from the Salvation Army through the Criminal Investigation department, as we have been able to gather from the speech of the Inspector-General, it is a sad commentary on the Executive Government of this province. If the one-third of the Government show such lack of knowledge, what can we expect from the remaining two-thirds?

With these words, I beg to say that we have not been satisfied with the explanation given by the Inspector-General of Police and I press my motion.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: My friend there seems to be familiar with the relations of a Local Government with the Government of India and he also knows when the Local Government should resign and when they should not resign. I think we are really very fortunate in having such a wise all-knowing man in our Council to give us hints now and then, and quite rightly the members of other Government should envy the good fortune of the United Provinces Government in being able to get the advice and support of my honourable friend now and then. But the position is this. We wanted to renew the lease, but the Government of India said "No: unless you are quite ready to take the responsibility of the archaeological buildings and their repairs we are not prepared to give you the lease."

As to the other question that was raised by my honourable friend Mr. Dharamvir Singh, there is a resolution which is coming before the Council; but even that fact does not stand in the way, because I am not asking the Council to find a new settlement, but the inmates of this

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

settlement will be distributed amongst other settlements and thus as far as the question of settlement is concerned there will be one settlement less. I see no reason, therefore, why anybody should object to it.

Babu Bhagwati Sahai Bedar : In case a resolution is passed that all these criminal tribes be handed over to Arya Samajists and others, will this money be handed over?

The Hon'ble the President : I am sure this question is not necessary at this stage of the debate.

The motion was put and negatived.

The demand as framed was then put and voted.

The Hon'ble the President then adjourned the Council until the following day.

APPENDIX A.

(See page 145 *supra*.)

*Statement referred to in answer to starred question No. 26 for
October 31, 1927.*

1. Babu Ganga Prasad.
2. Lala Sita Ram.
3. Pandit Manohar Lal Zutshi.
4. Mr. Kaushal Kishore
5. Mr. A. H. Mackenzie ... On his appointment as President of the Committee, Mr. Mackenzie surrendered all financial interest in the books written by him.

APPENDIX B.

(See page 145 *supra*.)Statement referred to in the answer to starred question
No. 28 for October 31, 1927.

Statement showing the names of Hindi readers for girls' vernacular schools with the names of their publishers and the year in which they were included in the curriculum.

Name of book.	Name of publisher.	Year in which included in the curriculum.	Year in which the books were reviewed.	Remarks.
1	2	3	4	5
<i>Infant class.</i>				
Hindi Primer	Ram Prasad & Bros., Chauk, Agra.	1923	1922	
Sachitra Hindi Primer ..	Ram Dayal Agarwala, Allahabad.	1924	1923	
Hindi Vernamala arthat, Hindi Press ki Hindi Primer.	Hindi Press, Allahabad ..	1925	1925	
Hindi Reader, part I (Primer) for class A.	Indian Publishing House, Benares.	1926	1926	
* Hindi Reader for preparatory class B.	Newal Kishore Press, Lucknow.	1917	1917	
New Hindi Reader for preparatory class B.	Ram Dayal Agarwala, Allahabad.	1925	1923	
Shiksha Bikas, part I, for class B.	Indian Press, Limited, Allahabad.	1926	1925	
Hindi Press Reader, part I ..	Hindi Press, Allahabad ..	1926	1925	
<i>Lower Primary section.</i>				
Lower Primary Girls' Reader..	Indian Press, Limited, Allahabad.	1910	1910	
Lower Primary Girls' Reader, parts I and II.	Newal Kishore Press, Lucknow.	1910	1910	
* Lower Primary Reader for girls, parts I and II.	Ditto ..	1925	1925	
<i>Upper Primary section.</i>				
Upper Primary Girls' Reader ..	Indian Press, Limited, Allahabad.	1910	1910	
Upper Primary Girls' Reader, parts I and II.	Newal Kishore Press, Lucknow.	1910	1910	
* Upper Primary Reader for girls for class III.	Ditto ..	1925	1925	
* Upper Primary Reader for girls for class IV.				
<i>Lower Middle section.</i>				
Lower Middle Girls' Reader ..	Indian Press Limited, Allahabad.	1910	1910	
Middle Girls' Reader, parts I and II.	Newal Kishore Press, Lucknow.	1910	1910	
* Lower Middle Reader for girls, parts I and II.	Ditto ..	1925	1925	

* The copyright of these books belong to Government but their printing and publication have been entrusted to the Newal Kishore Press, Lucknow, on certain conditions.

APPENDIX C.

(See page 147 *supra*.)

Statement referred to in the answer to starred question No. 35 of October 31, 1927.

	In 1922.	In 1923.	In 1924.	In 1925.	In 1926.
(1) Muslims ..	951	560	933	1,339	1,147
(2) Jats ..	34	20	32	74	94
(3) Rajputs ..	899	443	633	727	712
(4) Brahmans ..	516	167	214	110	110
(5) Kayasthas ..	54	18	18	37	24
(6) Banias ..	7	1	1	1	..

APPENDIX D.

(See page 151 *supra*.)

Statement referred to in the answer to starred question No. 41 for the Council meeting of October 31, 1927.

Name of honorary magistrate.	Income-tax.	Land revenue.	Tax on circumstances and property.	Period of appointment.	Average number of cases disposed of per year by special magistrates.
Sitapur Bench.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Y. m.	
1. Babu Kanhaiya Lal	178 3 0	357 11 0	50 0 0	31 0	..
2. S. Ahmad Raza ..	57 6 0	..	..	13 0	..
3. Lala Ramji Dass ..	2,600 0 0	..	150 0 0	13 0	..
4. Babu Rudra Narain	195 0 0	..	45 0 0	0 1½	..
5. S. Nazir Ahmed ..	54 11 0	6 8 0	15 0 0	0 1½	..
6. Sardar Har Charan Singh.	82 5 0	..	..	0 3	..
Khairabad Bench.					
7. Chaudhri Bishun Dayal.	..	777 8 3	109 0 0	11 9	..
8. Hafiz Imtiaz Husain	..	45 0 0	28 2 5	21 0	..
9. T. Chandika Prasad	338 12 0	3,231 8 2	300 0 0	14 7	..
10. Maulvi Zahir Ahmed	..	1,211 10 0	25 9 7	1 8	..

APPENDIX D—(concluded).

Name of honorary magistrate.	Income-tax.	Land revenue.	Tax on circumstances and property.	Period of appointment.	Average number of cases disposed of per year by special magistrates.
Biswan Bench.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Y. m.	
11. Chaudhri Ganga Bukhsh.	..	2,865 14 11	10 8 0	37 8	..
12. Shaikh Tajammul Husain.	..	..	5 0 0	3 0	..
13. Munshi Raghubir Singh.	..	233 12 0	5 0 0	1 3	..
14. M. Hadi Husain ..	..	..	5 0 0	1 3	..
Laharpur Bench.					
15. Munshi Sohan Lal Varma.	187 8 0	..	90 0 0	7 5	..
16. Lala Thakur Prasad	80 0 0	528 1 6	90 0 0	8 3	..
17. Qasi Rashid Ahmed	..	..	6 4 0	3 2	..
Sidhauri Bench.					
18. M. Imtiaz Husain ..	..	1,265 0 0	..	9 3	..
19. T. Anrudh Singh ..	900 0 0	4,452 12 0	..	5 9	..
Magistrates sitting singly.					
20. Hon'ble Sir Maharaja Muhammad Ali Muhammad Khan Sahib, K.C.S.I., K.C.I.E. Lala Thakur Prasad	.. 80 0 0	2,55,567 12 8 528 1 6	.. 90 0 0	28 10 4 6	.. 41
21. T. Narendra Vikramjit Singh.	..	9,239 9 0	..	11 3	111
22. Raja Shri Prakash Singh.	613 4 0	23,351 0 0	..	10 0	44
23. Lala Prag Narain ..	140 8 0	3,322 0 0	90 0 0	22 0	116
24. Pandit Vishwa Nath Trivedi.	67 11 0	298 8 1	..	8 3	177
25. T. Puran Singh ..	..	409 8 3	..	8 3	401
26. T. Jagannath Singh	..	185 4 8	..	8 3	195
27. Seth Bisheshar Dayal	..	9,180 0 0	..	4 9	9
Sardar Harcharan Singh.	82 5 0	..	..	0 9	6
28. Seth Onkar Nath Tandon.	..	..	..	0 8	38
29. T. Rampal Singh ..	..	4,394 4 0	..	0 7	..

APPENDIX E.

(See page 153 *supra*.)

Correspondence referred to in answer to starred question No. 45 for October 31, 1927.

Copy of a letter, dated April 15, 1927, from PANDIT BISHESHWAR DAYAL CHATURVEDI, Saraswati Sadan, Chhili Ent Road, Agra, to the Superintendent, Central Prison, Agra.

It has been brought to my notice that certain Kakori case prisoners have gone on hunger-strike in your jail. As a special representative of the weekly "Sainik" I am anxiously inquisitive to gather the first-hand information about the hunger-strike and the cause that originated it. Would you like to grant me an interview in this connexion?—If so, let it be as early as possible. And would you like the idea of my meeting the said prisoners to know the real cause of the trouble, and, if possible, to pacify them? Awaiting for an early answer.

Copy of a letter No. 825/J—29, dated April 16, 1927, from the Superintendent, Central Prison, Agra, to PANDIT BISHESHWAR DAYAL CHATURVEDI, Chhili Ent Road, Agra.

I HAVE the honour to acknowledge the receipt of your letter of 15th instant, received to-day, and to state that I have no information to give you.

APPENDIX F.

(See page 156 *supra*.)

Statement referred to in the answer to starred question No. 50(a) asked by PANDIT IQBAL NARAYAN GURTU SAHIB on October 31, 1927.

							Rs.
1908-9	..	..	..	..	..	..	4,000
1912-13	..	..	..	..	..	..	1,138
1914-15	..	..	..	..	..	..	2,597
							3,034
1915-16	..	..	..	..	..	..	16,250
1918-19	..	..	..	..	..	..	6,883
Total							33,402

APPENDIX G.

(See page 157 *supra*.)

Resolution referred to in the answer to starred question No. 51 asked by Pandit Iqbal Narayan Gurtu Sahib on October 31, 1927.

Copy of resolution No. 152, dated June 4, 1927, passed by the Municipal Board, Benares.

It is resolved that in order to satisfy educational demand of the city and its suburbs this board is prepared to take over the institution and maintain the same in its present status and condition if the Government be prepared to continue their grant-in-aid and to secure to this board the school building, the hostel, compound and the school equipments with apparatus and library free of cost if possible.

It is further resolved that a committee consisting of the Chairman, Education Committee, M. Bishwanath Prasad Srivastava, M. Muhammad Ikram Khan be authorized to move in the matter through the Chairman, municipal board, and that Mr. Hari Prasad Paladhi be appointed the convener of the committee.

APPENDIX H.

(See page 187 *supra*.)

Statement referred to in the answer to starred question No. 83
for October 31, 1927.

Serial num- ber.	Name of institution.	Non-literary subjects taught up to—	
		High School examination stage.	Intermediate examination stage.
	(i) <i>Government Intermediate Colleges.</i>		
1	Government Intermediate, College, Moradabad.	Drawing ..	Physics and Chemistry.
2	Government Intermediate College, Allahabad.	Manual Training and Drawing.	Physics and Chemistry. Biology (taught in classes XI and XII only).
3	Government Intermediate College, Etawah.	Drawing ..	Physics and Chemistry.
4	Government Intermediate College, Jhansi.	Do. ..	Ditto.
5	Queen's Intermediate College, Benares.	Do. ..	Physics and Chemistry, Biology (taught in classes XI and XII only).
6	Government Intermediate, College, Almora.	Do. ..	Physics and Chemistry.
7	Government Jubilee Intermediate College, Lucknow.	Manual Training, Commerce, and Drawing.	Physics and Chemistry. Biology (taught in class XI).
8	Government Intermediate College, Fyzabad.	Drawing ..	Physics and Chemistry. Biology (taught in classes XI and XII only).
	(ii) <i>Aided Intermediate Colleges.</i>		
1	Dayanand Anglo-Vernacular Intermediate College, Dehra Dun.	Drawing ..	Physics and Chemistry.
2	* N. E. R. C. Intermediate College, Khurja (Bulandshahr).	Drawing and Commerce.	Ditto.
3	Muslim Intermediate College, Aligarh.	Commerce and Drawing.	Physics and Chemistry. Biology (taught in classes XI and XII only). Students are also trained in riding and swimming.
4	Radhaswami Educational Institute, Agra.	Drawing ..	Physics and Chemistry. Biology (taught in classes XI and XII only).
5	* S. S. M. Intermediate College, Chandausi (Moradabad).	Drawing and Commerce.	Physics and Chemistry. Music.

* These institutions also provide instruction in Commerce leading up to the Commercial Diploma Examination of the Board of High School and Intermediate Education, United Provinces.

APPENDIX H—(concluded),

Serial num- ber.	Name of institution.	Non-literary subjects taught up to—	
		High School examination stage.	Intermediate examination stage.
6	* Kayastha Pathshala Inter- mediate College, Allahabad.	Drawing and Music (taught up to class VIII only).	Physics and Chemistry. Biology (taught in classes XI and XII only).
7	Anglo-Bengali Intermediate College, Allahabad.	Physics Chemistry, and Drawing,	None.
8	* Lucknow Christian College, Lucknow.	Commerce ..	Physics and Chemistry. Biology (taught in classes XI and XII only).
9	Kanya Kuber Intermediate College, Lucknow.	Physics, Chemis- try, and Drawing.	Music.
10	Shia Intermediate College, Lucknow.	Drawing ..	None.

* These institutions also provide instruction in Commerce leading up to the Commercial Diploma Examination of the Board of High School and Intermediate Education, United Provinces.

APPENDIX I.

(See page 169 *supra*.)

Copy of letter No. 66, dated January 8, 1926, from the Inspector-General of Civil Hospitals, United Provinces, Lucknow, to the Civil Surgeon, Ghazipur, referred to in the answer to starred question No. 85 for October 31, 1927.

WITH reference to your letter no. 1495, dated December 19, 1925, I have the honour to say that hydrocele and other major operations cannot be conducted at any outlying dispensary unless civil surgeons are in all respects satisfied that the equipment and treatment are such as to give the patient a good hope of a satisfactory result.

APPENDIX J.

(See page 178 *supra*.)

Copy of inspection notes referred to in part (e) of the answer to starred question No. 116 for October 31, 1927.

1. Inspected the farm and found the growing crops besides maize are in good condition. After three or four years I found in best condition.

(Sd.) MATA PRASAD.

16-8-'23.

2. Inspected the Government Agricultural Farm to-day. Sugarcane is in best condition and also growing crops are in good condition.

(Sd.) MATA PRASAD.

24-11-'23.

3. Inspected. Standing crops are in good condition.

(Sd.) MATA PRASAD.

8-1-'24.

4. On February 2 I went to the Agricultural Farm and inspected its working in full detail. Wheat and sugarcane were in very good and flourishing condition. Shahjahanpur sugarcane nos. 39 and 48 deserve special mention. They grow in abundance and are full of juice. If the cultivators are persuaded to use these varieties their outlay is likely to be more than doubled. The farm is prepared to supply these seeds and it is worth while for the zamindars to recommend these to the tenants, as it will be very profitable to them.

I have suggested to the Advisory Committee and they have all approved that district boards should take steps to introduce the system of farming in the district board schools. A plot of land be assigned in each school where the scholars under the direction of their teachers should try to grow some crops from approved qualities of seeds which they should obtain from agricultural farms. The scholars should be sent to the nearest farms and learn how best to do it and the superintendents of the farms should also occasionally go to the schools to inspect how the work is done in the schools and give them the instructions needed. This will create interest in the scholars and they will carry better experience and knowledge when they go back to their work in the villages.

I was much pleased with what I saw at the farm. Various improvements have been made and great credit is due to the superintendent of the farm, Rai Sahib Chandhri Hari Ram Singh, who has taken pains in growing the crops, etc. He seems to be an intelligent man and takes interest in the work which has been entrusted to him.

(Sd.) MOTI CHAND (RAJA), C.I.E.

7-2-'24.

5. I visited the farm on the 2nd with the Hon'ble Raja Moti Chand and other members of the Advisory Committee and again on February 11. The crops, specially sugarcane and wheat, are in a very flourishing condition. I agree with the observations of Raja Moti Chand. Attempts to popularize the institution should be made. Rai Sahib Hari Ram Singh gave us a lot of useful information. He has made the farm successful financially.

(Sd.) JNANENDRA NATH BASU,

Member, Advisory Board.

11-2-'24.

6. I visited the farm twice in this month, once to attend the meeting of the Advisory Committee and then again to be present at a demonstration given by the superintendent of the farm to which a large number of people were invited. The Benares staff and the superintendent of the farms of some other districts of this division delivered lectures on seeds, manures, and other kindred subjects and gave much useful information. After that the party was taken round the farm to see the standing crops, the implements and machines used at the farm and the fields that were being prepared for sowing. These demonstrations afford an opportunity to the cultivators to understand, appreciate, and follow as far as their limited means will allow, the improved methods of cultivation.

Rai Sahib Chaudhri Hari Ram Singh and his subordinates are working whole-heartedly for the success of the farm.

(Sd.) MAKBOOL ALAM,

Member of the Advisory Committee.

25-2-24.

APPENDIX K.

(See page 180 *supra*.)

[Enclosure to parts (c) and (d) of answer to starred question No. 117 for October 31, 1927.]

Paragraph 4 of the Audit Report on the accounts of the Government of the United Provinces of Agra and Oudh for 1924-25.

Paragraph 4.—A divisional superintendent at a demonstration farm of the Agricultural department was responsible for a series of financial irregularities and frauds of a grave nature during the year 1923-24. The irregularities were mainly brought about by the maintenance of fictitious and misleading statements of accounts which attempted to show a gain of Rs. 170, whereas an examination of the actual accounts at the close of the year (June 30, 1924) revealed a loss amounting to Rs. 3,758. A departmental inquiry was instituted and the following irregularities were brought to light :—

- (i) An expenditure of Rs. 1,068-12-0 in connexion with the farm was incurred during the year. Payment was not made at the time the expenditure was incurred or during the financial year in question. The liabilities were kept outstanding and concealed until detected during the inquiry.
- (ii) A sum of Rs. 4,015-7-0 provided for certain minor works was drawn from the treasury with a view to prevent lapse at the close of the financial year.
- (iii) The value of the cane crop of 1923-24 was estimated at Rs. 8,140 by the Director of Agriculture and Rs. 9,400 by the Deputy Director, Eastern circle, but a sum of Rs. 4,482 only was actually realized. Likewise the receipts of the farm for the financial year ending March 31, 1924, were estimated by the Deputy Director at Rs. 11,000, whereas the actual amount realized was Rs. 2,858 only. The above amounts were ultimately found to have been misappropriated by the divisional superintendent and a fieldman.
- (iv) Lastly, a systematic fraud, extending over a long period in respect of the disbursement of labourers' wages, was detected. This was made possible by the connivance of the divisional superintendent who permitted the maintenance of two registers, one fictitious and the other genuine, the bills of course being drawn according to the former.

The result of the departmental inquiry was communicated to the local Government. As a punishment for the charges proved against the divisional superintendent he has been reduced from Rs. 270 grade to Rs. 195 grade. No disciplinary action was taken against any other official. In view of the seriousness of the irregularities and the deliberate nature of the fraud the punishment awarded by the Government cannot be considered to be adequate. The case is therefore brought to the notice of the Public Accounts Committee,

APPENDIX L.

(See page 182 *supra*.)**Statements referred to in answer to unstarred Council questions
Nos. 7—12 for October 31, 1927.***Copy of Resolution no. 2, dated March 16, 1927, passed by the
Municipal Board, Amroha.*

Read questions and answers of the Chairman and the Secretary, respectively, relating to the matter of dry meat Thek (factory) and the Chairman's final remarks on the questions and answers. Hakim Hasna Musannah Sahib then wrote out and submitted the following resolution, and Khan Sahib Dr. Aizad Bakhsh Sahib and Agha Sadiq Husain Khan Sahib supported it:—

This board, after giving due and sufficient consideration to the Chairman's report, dated February 4, 1927, and the question put by the Secretary on the answers of the Secretary, dated February 23, 1927, and also Chairman's final remark of today, has arrived at the conclusion that the charges which the Chairman has brought in his all the three writings against the Secretary are very important and of serious nature and need the board's careful attention, and that the Secretary has totally failed in his explanation to answer satisfactorily the questions which the Chairman had put to him *re* the charges brought against him. At the same time the answers are both irrelevant to the matter in question and misleading. The irregularities of the Secretary has been the cause of trampling upon the public interest and the administration of the department. The Secretary's self-conceit (*khudsari*) and continuous disobedience have become so insulting and troublesome and *majbarkun* to the Chairman that he is not prepared to work with him in future. Therefore—

(1) with a view to run the affairs and administration of the municipality smoothly in future ;

(2) in order that in future the highest responsible officers and officials of the municipality should consider themselves fully bound by laws and bye-laws and discipline ; and

(3) in order that the Chairman may not have unbearable difficulties and hindrances in carrying on the administration of the municipality and in discharging public services rightly and independently and the prestige of the responsible

Decided by 9 against that the resolution as it is, be sanctioned. The resolution was supported by Dr. Aizad Bakhsh Sahib and Agha Sadiq Husain Khan Sahib.

Babu Bhagwati Sahai Sahib together with four other members presented a note of dissent which was attached to the proceedings.

office of the Chairman may be maintained this board relieves with regret Babu Shiv Prasad, Secretary, Municipal Board, Amroha, of his duties for the execution of which the Secretary be given 15 days' notice under the rules and a copy of this resolution be communicated to the Secretary today.

Copy of letter No. 9, dated April 11, 1927, from the Chairman, Municipal Board, Amroha, to the Commissioner, Rohilkhand division, Bareilly, through the District Magistrate, Moradabad.

WITH reference to your communication no. 517/XXIII—234-1900-09, dated March 31, 1927, and received by me on the 7th instant, I have the honour to forward herewith all the papers relating to the dismissal of Babu Shiv Prasad, B.A., as desired. Replying to the three points specifically raised by you in the above communication, on which information is sought from me, I beg to state as follows:—

1. If it is impossible for me to estimate correctly the real extent of the financial loss suffered by this municipality it is due to no fault of mine. It is one of my charges against the Secretary that he kept me in utter darkness as to the heads of cattle slaughtered at the premises set apart for drying meat, although cattle were being slaughtered there in the Secretary's personal knowledge (as will become evident by a reference to my report and final remark where I have particularly dealt with this aspect of the question in full). In reply to a letter from the Cow Preservation League, Calcutta, the Secretary has stated that the heads of cattle slaughtered in 1923 during a period of only four months was eight hundred and thirty-one, and a copy of this letter is on record. Now the fees which we charge for each head of cattle slaughtered at the slaughter-house is seven annas six pies only (0-7-6), and this would give you some rough idea as to the extent of the financial loss to the board due to something absolutely unexplained and unexplainable on the part of the Secretary, and it can only be explained, if it must be explained, in a manner bound to reflect most discreditably on the conduct of Babu Shiv Prasad, B.A.

A perusal of my report and final remark will convince you how an utter disregard on the part of the Secretary of the provisions of our rules and my specific orders has been instrumental in leading to this sorrowful state of affairs.

2. The irregularities "with reference to the conduct of the dry meat business" which we have taken objection to date only as far back as 1920, in which year it was that the bye-laws for regulating dry meat business were passed, though up to 1923 nothing was done calculated to enforce these bye-laws. Why compliance with the bye-laws, once made, was not insisted on in the years preceding 1923 is a question which it is not for me to answer, and which can best be explained by the Secretary himself, who was Secretary then also and by those Chairmen who had been in charge of the municipality at that time. It was the primary duty of Babu Shiv Prasad to have kept drawing the attention of every new Chairman to every non-compliance with our bye-laws. How far the Secretary succeeded in discharging this primary duty of his I leave for you to decide. In 1923 the municipality appears to have taken steps to enforce these bye-laws for the first time, and we find Babu Shiv Prasad trying to

[Oct. 31, 1927,

enforce them by prosecution, etc. But this energy and zeal served him only through 1923 and 1924 after which they failed him altogether, and his desire to see these bye-laws duly observed remained a pious desire which was never translated into action afterwards. I may also be permitted to point out that even those steps which the Secretary, as I have admitted above, took to enforce our bye-laws in 1923 and 1924 were not effective enough to bring about the desired end, and did not make up the financial loss which the board had suffered. 1925 was conspicuous on account of the utter forgetfulness with which it had been treated. My meaning will become clear when I say that in 1925 the Secretary did not consider it necessary to take even a single step to enforce compliance with our bye-laws. In 1926-27, during my *régime*, the Secretary, who had by now acquired a habit of taking life easily and doing things without expecting any let or hindrance from his chairman, issued a free licence to irregularities of every kind that he could lay his hands on and called to colours, as it were, all the forces from which non-compliance with our bye-laws flowed.

3. I cannot answer this question as it is worded, because we do not accept the contention of Babu Shiv Prasad that it was an error of judgment on his part for which we have thought it proper to dispense with his services. He, no doubt, contends that this is so, but we hold the contrary views, and it is our firm belief, based on the facts as mentioned in the file that is now being sent to you, that the Secretary has not only been grossly negligent in the discharge of his duties and has failed to gauge correctly the extent of his heavy responsibilities, but that it has become almost a second nature with him to disobey, in a most wanton and a most objectionable manner, the order of his superiors, be they the sub-committees or myself. His insubordination had, in fact, assumed such dangerous proportions that I felt myself compelled to conclude my final remarks which were submitted before this Municipal Board on March 16 last with the following sentences:—

“His arrogance and obstinacy have made it absolutely impossible for me to carry on the administration of the municipality. It is absolutely impossible for me to pull on with him any more, and I have made all my difficulties clear to you, and, in spite of all this, I find that my colleagues are reluctant to help me in the discharge of my duties I would have to consider it seriously whether, under the circumstances, consistently with my duty and my self-respect, I can hold the high office which you so kindly entrusted to me.”

And I do not hesitate in repeating every word of the above sentence with the same force and sense of responsibility even here as I did on that occasion. A mere glance through my report on dry meat business, together with my questions to the Secretary and my final remark, will give you, just by way of an instance, only some out of so many instances of his insubordination to me. And the general impression that I have gathered as the result of my contact with him ever since I became chairman of this municipality is that it is impossible for me to work with him any longer. I have said so in my remark, and repeat it again here, that I will prefer to get out of this board rather than remain there and be forced to work with such an irresponsible and insubordinate employee of the board as Mr. Shiv Prasad.

Before I conclude, I wish to point out that your order regarding the suspension of the Secretary will, of course, be carried out; but I must request you not to lose sight of my own difficulties in this connexion as well. The Secretary knows that the majority of the members of our board, including myself, are opposed to his retention here any longer, and he is very much discouraged at that, with the inevitable result that he cannot throw his heart into his work, which the efficient running of every department most urgently requires, and on account of the lack of which our administration is suffering a great deal. Besides, I do not consider my papers, etc., as safe in his keeping, and what is actually happening is that he is drawing pay for a period during which he is practically remaining indoors and discharging his duties with a broken heart.

APPENDIX M.

(See page 183 *supra*.)

Statement showing particulars of punishment of, and appeals from, sub-inspectors of police, head constables, naiks, and constables for the last three years, i.e., from 1924 to 1926, under section 7 of the Police Act (referred to in the answer to unstarred question No. 13 for October 31, 1927).

Year.	Number of policemen punished.				Number of appeals preferred during the year including those pending from the preceding year.	Number of appeals disposed of during the year by the Deputy Inspector-General and Inspector-General.	Number of appeals allowed in full.	Number of appeals in which punishment was lessened.	Number of appeals in which punishment was enhanced.	Number of appeals dismissed.
	Sub-inspectors.	Head constables.	Naiks.	Constables.						
1	2	3	4	5	6	7	8	9	10	11
1924	102	112	70	846	243	226	43	39	5	139
1925	100	88	48	774	214	208	49	25	12	122
1926	110	81	68	789	287	267	45	32	10	180
Total	312	276	186	2,408	744	701	137	96	27	441

APPENDIX N.

(See page 183 *supra*.)

Statement referred to in the answer to unstarred question No. 14
of October 31, 1927.

*List of police stations completed, or partly completed, during the last
three years.*

Serial num- ber.	District.	Name.	Cost.
1924-25.			Rs. a. p.
1	Moradabad	Police station *Rehra	35,244 2 8
2	Meerut	Ditto *Ghaziabad	54,111 0 0
3	Agra	Ditto Kotwali	492,819 1 9
4	Pilibhit	Ditto *Amaria	32,094 15 7
5	Garhwal	Ditto *Lansdowne	29,024 6 7
6	Hamirpur	Ditto Panwari	15,889 5 0
7	Gorakhpur	Ditto *Chauri Chaura	30,231 8 6
8	Partabgarh	Ditto *Antu	27,893 7 0
9	Bara Banki	Ditto *Subeha	26,912 2 9
10	Azamgarh	Ditto *Kandharpur	31,274 5 4
1925-26.			
11	Moradabad	Police station Hasanpur	39,151 15 0
12	Do.	Ditto Manpur	37,875 13 0
13	Bijnor	Ditto *Seohara	43,415 14 0
14	Etah	Ditto *Soron	47,462 0 0
15	Mainpuri	Ditto Kurrah	40,336 10 0
16	Bareilly	Ditto Kotwali	1,50,845 6 1
17	Budaun	Ditto *Wazirganj	31,215 11 6
18	Hardoi	Ditto Sandi	29,804 7 0
19	Unao	Ditto Auras	33,567 4 0
20	Kheri	Ditto Mitauli	30,906 5 0
21	Do.	Ditto Passgaon	26,218 8 0
22	Do.	Ditto Dhaurehra	31,252 1 9
23	Farrukhabad	Ditto Rajepur	44,300 14 0

APPENDIX N—(concluded.)

Serial number.	District.	Name.	Cost.
1925-26 —(continued).			Rs. a. p.
24	Allahabad ..	Police station Saini ..	50,712 11 0
25	Jhansi ..	Ditto Sadar Bazar ..	50,022 3 9
26	Fyzabad ..	Ditto *Cantonment ..	27,692 1 0
27	Gorakhpur ..	Ditto Deoria ..	44,754 0 6
28	Do. ..	Ditto Bishanpur ..	24,878 9 6
29	Do. ..	Ditto Khukhundu ..	84,665 3 0
30	Bahraich ..	Ditto Mallhiपुर ..	23,726 5 0
31	Ghazipur ..	Ditto * Nandganj ..	82,619 11 5
32	Ballia ..	Ditto * Kotwali ..	56,778 12 0
1926-27.			
33	Meerut ..	Police Station Pilkhua ..	7,187 8 3
34	Bulandshahr ..	Ditto Jhajhar ..	13,580 0 9
35	Dehta Dun ..	Ditto Rikhikesh ..	25,835 12 0
36	Etah ..	Ditto Awah ..	10,414 14 0
37	Mainpuri ..	Ditto Eka ..	19,116 14 0
38	Moradabad ..	Ditto Bachhraon ..	43,915 0 0
39	Do. ..	Ditto Sambhal ..	55,497 0 0
40	Naini Tal ..	Ditto Khatima ..	46,950 0 0
41	Farrukhabad ..	Ditto Kanauj ..	22,437 4 0
42	Fatehpur ..	Ditto Hathgaon ..	7,897 9 0
43	Do. ..	Ditto Jahanabad ..	7,939 11 9
44	Jhansi ..	Ditto Baksa ..	8,830 10 5
45	Gonda ..	Ditto Dhanepur ..	11,640 4 0
46	Do. ..	Ditto Kotwali ..	8,587 12 0
47	Do. ..	Ditto Chhapia Swami Narain ..	16,178 1 0
48	Gorakhpur ..	Ditto Maharajganj ..	15,897 5 0
49	Basti ..	Ditto Mahuli ..	14,755 5 0
50	Bahraich ..	Ditto Bhinga ..	13,112 3 0
51	Bara Banki ..	Ditto Tikaitnagar ..	12,232 13 9
52	Benares ..	Ditto Chandauli ..	25,491 3 8
53	Azamgarh ..	Ditto Serai Mir ..	17,232 7 0

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Tuesday, November 1, 1927.

THE Council met in the Council Hall, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT (94).

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliott, Bart.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. H. C. Desanges.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Babu Lakshmi Narayan Gargh.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Pratap Bhan Singh.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Rao Udaibir Singh.
Babu Kishori Prasad.

Pandit Mool Chand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Shri Krishna Dutt Dube.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhainandan Prasad.
Bhaya Hanumat Prasad Singh.
Babu Ganga Prasad Roy.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Raja Raghuraj Singh.
Maharaj Kumar Major Mahijit Singh.
Kunwar Surendra Pratap Sahi.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Saiyid Tufail Ahmad.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaquat Ali Khan.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Husain.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Khan Bahadur Maulvi Muhammad Fazlur-Rahman Khan.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Raja Saiyid Ahmad Ali Khan Alvi.
Mr. Muhammad Habib.
Rai Bahadur Lala Bihari Lal.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Shambhu Dayal.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Mr. E. M. Souter.
Mr. J. P. Srivastava.
Pandit Iqbal Narayan Gurtu.

QUESTIONS AND ANSWERS.

Starred Questions.

Pandit Nanak Chand : I beg to point out that the answers to the starred questions were not laid on the table as required by the standing orders. The first batch of the answers was placed on the table at about 18 minutes to 11 and the second batch at 9 minutes to 11. We have not had proper time to go through the starred questions and answers and prepare ourselves with the supplementary questions.

The Hon'ble the President : The difficulty in regard to answers to questions is that the answers do not reach the office in time. I have already asked the office to settle the question with the Government.

* 1. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EUROPEAN SCHOOLS.

* 2. **Pandit Govind Ballabh Pant :** Will the Government be pleased to lay on the table a statement showing the various European schools in the province with the number of scholars in each class; names, salary and emoluments of the members of the staff and the names of the members of the governing body, if any; the number of Indian students in various classes and the recurring and non-recurring grants made to each during the last five years? Are Sanskrit and Persian included in the curriculum of any institution? If so, in which institutions? Is Indian history included in the courses of these schools? If so, what text-books are prescribed?

The Hon'ble Sir Sam O'Donnell : A statement of the information required by the honourable member is so voluminous that the cost of printing it would be incommensurate with its value. But the Director of Public Instruction will furnish the honourable member with the information.

DAILY ALLOWANCE TO THE CHIEF SECRETARY TO GOVERNMENT.

* 3. **Pandit Govind Ballabh Pant :** (a) Did the Chief Secretary to Government, United Provinces, not receive the allowance of Rs. 10 per day during his stay at Lucknow during the last winter? (b) If so, from which date was the said allowance discontinued?

The Hon'ble Sir Sam O'Donnell : (a) No.

(b) Since August, 1925.

CRIMINAL APPEALS.

* 4. **Lieut. Raja Kali Charan Misra :** (a) Is it a fact that Government files only criminal appeals in murder and conspiracy cases against the Crown?

(b) How many criminal appeals besides murder and conspiracy case appeals were filed by the Government in the Allahabad High Court during the calendar year 1926 from Bareilly district?

(c) Will the Government be pleased to state the reasons for filing these appeals in cases relating to Bareilly district?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

(a) No.

(b) Two.

(c) The appeals referred to were filed in accordance with the general principle of Government of filing appeals in cases of sufficient importance, in which they are advised that an avoidable failure of justice has taken place.

AGRICULTURAL IMPROVEMENT IN BAREILLY DISTRICT.

*** 5. Lieut. Raja Kali Charan Misra :** (a) Has there been any improvement in agriculture in Bareilly district since the introduction of the Reforms?

(b) What sort of improvement has been effected in cane produce of Bareilly district?

(c) How much money was spent in demonstrations for agricultural improvement?

(d) How much money was advanced, and to whom, as a loan from the Government for improving agriculture?

(e) What are the terms of advancing the loans?

(f) Have the terms been strictly adhered to?

(g) How much money has been repaid?

(h) Has the borrower made any sort of improvement in his property since the receipt of advances?

(i) What is the present condition of the farm?

The Hon'ble Thakur Rajendra Singh : (a) Considerable progress in the work of the Agricultural department in the Bareilly district has been made. The following figures for seed distribution indicate the nature of the expansion :—

Year.	Wheat. Sugarcane. Ploughs.		
	Mds.	Mds.	
1925-26	... 297	2,418	103
1926-27	... 761	9,331	138

(b) There are 1,800 acres of improved sugarcane in the Bareilly district and the area is rapidly increasing. The estimated average increased value of the crop is Rs. 80 per acre.

(c) Separate accounts for expenditure are not kept for each district.

(d) Loans given by district officer on the recommendation of—

(i) Deputy Director of Agriculture, Rohilkhand circle, Shahjahanpur. Rupees 1,500 to cultivators for purchase of cane seed.

(ii) Agricultural Engineer to Government, United Provinces, Cawnpore. Rupees 12,000 to Messrs. Bankey Lal Shiam Behari Lal for tube well.

Ditto ... Rupees 10,000 to Thakur Bhagwan Sahai for tube well.

(e), (f), and (g) The loans were advanced on the usual *tagavi* terms and are being recovered in the usual way by the district authorities. No defaults have been reported. A part of the grant of Rs. 1,500 for sugarcane seed was remitted owing to the damage done to the crops by excessive rainfall.

(h) Loans have been utilized for the purpose for which they were given and borrowers are all undertaking cultivation by improved methods successfully.

(i) The condition of the Nawabganj farm has greatly improved. The excess receipts over expenditure during the last four years amount to Rs. 16,100.

Lieut. Raja Kali Charan Misra : With regard to (d) were these recommendations accepted by the district officer ?

The Hon'ble Thakur Rajendra Singh : I cannot say.

Lieut. Raja Kali Charan Misra : Is the Government aware that the money advanced to Thakur Bhagwati Sahai for a tube well was not recommended by the district officer ?

The Hon'ble Thakur Rajendra Singh : I am not aware.

UNNECESSARY MULTIPLICATION OF NOTE-BOOKS IN SCHOOLS.

* 6. **Lieut. Raja Kali Charan Misra :** Is the Government aware of the deep and widespread discontent among guardians caused by the uncompromising attitude of the headmasters of recognized high schools aided or State controlled, with regard to the purchase of a needlessly large number of exercise books even by lower class boys ?

The Hon'ble Rai Rajeshwar Bali : No.

Lieut. Raja Kali Charan Misra : Will the Government be pleased to take early steps to prevent the unnecessary multiplication of such copy-books, and to issue the clearest possible instructions to the inspectors of each circle to see during their surprise visits that the teachers in charge of their respective forms strictly carry out departmental orders on the subject ?

7. **The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to the answer given to question No. 17 asked by him on April 4, 1921. Instructions have been issued. If the honourable member will bring any specific complaints to the notice of the Director of Public Instruction he will inquire into them.

Copy of question No. 17 asked by LIEUT. RAJA KALI CHARAN MISRA on April 4, 1921, and of its answer.

QUESTION.

Will the Government be pleased to take early steps to prevent the unnecessary multiplication of such copy-books and to issue the clearest possible instructions to the inspectors of each circle to see during their surprise visits that in view of the abnormally high rates of articles of stationery the teachers in charge of their respective forms strictly carry out departmental orders on the subject and do not indulge in questionable practices?

ANSWER.

The attention of inspectors of schools will again be drawn to the circular letter that was issued in 1917, in which inspectors were asked to see that any unnecessary multiplicity of note-books should be avoided.

TRAVELLING ALLOWANCE TO FIRST CLASS RAILWAY SUB-INSPECTORS OF POLICE.

* 8. **Lieut. Raja Kali Charan Misra :** (a) Will the Government be pleased to state what travelling allowance is paid to first class railway sub-inspectors and to ordinary police sergeants?

(b) If there is any difference in the scales, will the Government be pleased to state the reason for it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The rates of daily allowance of members of the police force will be found in paragraph 13-C(2), chapter III, Financial Handbook, volume III. Both sub-inspectors and sergeants are third class officers for purposes of travelling allowance.

(b) The only difference in the scale is between a first grade sergeant whose pay is Rs. 150 and who is, therefore, entitled to Re. 1-8 daily allowance, and a first grade sub-inspector whose pay is Rs. 125 and who is, therefore, entitled to Re. 1-4 daily allowance. A sub-inspector in the selection grade of Rs. 150 draws Re. 1-8 daily allowance.

DISCONTENT AMONG AGRICULTURISTS IN BAREILLY.

* 9. **Lieut. Raja Kali Charan Misra :** Is the Government aware of the general discontent which prevails among agriculturists in Bareilly as canal water is not supplied to them in sufficient quantity when they most need it?

The Hon'ble Sir Sam O'Donnell : Government are aware that the supplies in the streams which provide water for the canals in the Bareilly district run very low at certain periods of the year, but are not aware of any general discontent prevailing among the agriculturists of that district with regard to the supply of canal water.

IMPROVEMENT IN SUGAR CULTIVATION.

* 10. **Lieut. Raja Kali Charan Misra :** Has the establishment of this farm given an impetus to sugar cultivation and have the methods introduced by the Government been adopted on a wide scale?

The Hon'ble Thakur Rajendra Singh : The Nawabganj farm is undoubtedly giving an impetus to sugarcane cultivation. The methods introduced have not been adopted on as wide a scale as in the districts of Shahjahanpur, Kheri, and Hardoi. But there is every reason to believe that the results obtained in these districts will be repeated in Bareilly in a few years. There are 1,648 acres of improved cane in the Bareilly and Baheri tahsils this year, five well-equipped private farms, four with successful tube wells and nineteen smaller demonstration plots.

RAISING OF HIGH SCHOOL AND INTERMEDIATE EXAMINATION FEES.

* 11. **Lieut. Raja Kali Charan Misra :** (a) Is it a fact that the high school and intermediate examination fees have been raised from Rs. 10 and Rs. 20 to Rs. 15 and Rs. 25, respectively?

(b) On whose recommendations and under what authority have the fees been so raised?

(c) Was public opinion consulted in the matter?

(d) Was the question referred to the Legislative Council?

(e) If the answers to (c) and (d) be in the negative, will the Government be pleased to state the reasons?

The Hon'ble Rai Rajeshwar Bali: (a) Yes, as compared with fees levied by the Allahabad University before 1922 for corresponding examinations.

(b) The fees are prescribed by regulations made by the Board of High School and Intermediate Education under section 15 (2) (f) of the Intermediate Education Act, 1921.

(c) The regulations were published for objection before they were made.

(d) The Council has three representatives on the board.

(e) The board has statutory power to make regulations fixing the fees.

***12. Lieut. Raja Kali Charan Misra:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

HINDU CITY KOTWAL IN BAREILLY.

***13. Lieut. Raja Kali Charan Misra:** Will the Government be pleased to state why no Hindu city kotwal has been appointed in Bareilly for the last thirty years or more?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Presumably because the most suitable officer available, when a vacancy occurred, was a Muslim.

Lieut. Raja Kali Charan Misra: May I point out that on December 12, 1926, I put the same question and the reply was that the Government will look into the matter.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not remember about the question or the answer that was given by the Government. Unless I see the proceedings I cannot say anything.

Lieut. Raja Kali Charan Misra: Is the Government going to appoint a Hindu when a vacancy occurs?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The appointment will be made on grounds of merit, irrespective of the fact whether the man is a Christian or a Hindu or a Muhammadan.

Lieut. Raja Kali Charan Misra: Is there any Hindu sub-inspector available now?

The Hon'ble the President: That does not arise out of the question on the notice paper.

***14. Lieut. Raja Kali Charan Misra:** Has this kotwalship been reserved for Muhammadans?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

RIOT AT MARKHA, DISTRICT BANDA.

***15. Thakur Har Prasad Singh:** Has the Government received any statement of facts relating to the riot at Markha, district Banda, from the local authorities? If so, will the Government be pleased to lay it on the table?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. The following report has been received:—

There has been only one riot in Markha since January 1, 1926, as far as the records show. This occurred on September 29, 1926. A

notable bad character of Markha was attacked on his way to Markha by about seven men. A case was registered under section 147/326, Indian Penal Code, and five accused have been sentenced, and their sentences upheld on appeal. The case arose out of a long-standing enmity, which was the outcome of a love affair, and resulted in the formation of two parties (apparently) intent on damaging each other. A cross case under section 147/325, Indian Penal Code, resulted in the conviction of four accused.

FORFEITURE OF ARMS LICENCES IN HAMIRPUR.

* 16. **Thakur Har Prasad Singh:** (a) How many licences of firearms were forfeited by Mr. Nehru, District Magistrate of Hamirpur, within six months of his going on leave?

(b) What are the names and status of such licensees?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Thirty-two.

(b) A statement is laid on the table.

(See Appendix A, page 351.)

PRINCIPALS OF INTERMEDIATE COLLEGES AND HEADMASTERS OF GOVERNMENT HIGH SCHOOLS.

* 17. **Khan Bahadur Saiyid Jafer Hosain:** Will the Government be pleased to lay on the table a statement showing—

(a) the total number of principals of intermediate colleges and head masters of Government high schools;

(b) the total number of Hindu and Muhammadan principals and headmasters;

(c) the total number of lecturers in the three teachers' training colleges;

(d) the total number of Hindus and Muhammadans on the teaching staff of these colleges?

The Hon'ble Rai Rajeshwar Bali: A statement is laid on the honourable member's table,

(See Appendix B., page 352.)

* 18. **Khan Bahadur Saiyid Jafer Hosain:** (a) Is the Government aware that there are only six Muhammadan headmasters in Government high schools out of a total number of about 48 and only one Muhammadan principal in the intermediate colleges out of eight?

(b) Is the Government prepared to increase their number substantially at an early date by making a selection from amongst assistant masters of approved merit with particular regard to the length of their service?

The Hon'ble Rai Rajeshwar Bali: (a) Yes.

(b) Appointments to these posts are made in seniority.

* 19 to * 21. **Nawabzada Muhammad Liaquat Ali Khan:** [Postponed at the request of Government till the first day of the next meeting of the Council]

* 22 and * 23. **Pandit Nanak Chand** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EJECTION OF TENANTS FOR NON-PAYMENT OF RENT.

* 24. **Pandit Nanak Chand** : (a) Will the Government be pleased to lay a statement on the table showing the number of applications filed for the issue of notices for payment of rent and ejection of tenants in default under section 81 of the Agra Tenancy Act, 1926, in each district from the enforcement of the Act up to the end of May, 1927 ?

(b) Will the Government be pleased to lay a statement on the table showing the number of ejections in each district in consequence of applications referred to in part (a) ?

(c) Will the Government be pleased to state the number of cases in each district—

- (i) in which no extension of time for payment was allowed ;
- (ii) in which the extension allowed did not exceed two weeks ;
- (iii) in which the extension allowed was from two weeks to two months ;
- (iv) in which extensions were allowed from over two months to four months ;
- (v) in which the extension was from over four months up to six months ?

The Hon'ble Sir Sam O'Donnell : In order to supply the figures asked for it would be necessary to examine in detail the records of every case under section 81 in the court of every tahsildar in the province of Agra. Government consider that the value of the information would be out of proportion to the labour involved in collecting it and do not, therefore, propose to call for it.

Pandit Nanak Chand : With reference to (b) is it very difficult for the Government to get the figures of actual ejections apart from the question of extensions ?

The Hon'ble Sir Sam O'Donnell : Probably the information will be contained in the annual report when it is published.

* 25. **Pandit Nanak Chand** : (a) Has the Government or any or all of the commissioners issued any instructions to the district officers and tahsildars against granting extensions ? If so, what are those instructions ?

(b) Do Government approve of the rigid operation of section 81 of the Agra Tenancy Act ? If not, do they intend to issue instructions to district officers ?

The Hon'ble Sir Sam O'Donnell : (a) The Commissioner of Meerut found a tendency on the part of courts in his division to allow the maximum period of grace as a matter of course in all cases. He accordingly pointed out that the concession should depend on circumstances.

(b) The section clearly contemplates that the period of grace should vary with the circumstances of each case. Government have no reason to think that the courts are not following this principle and do not, therefore, consider any action necessary.

MATHURA PRASAD ESTATE, CAWNPORE.

* 26. **Thakur Har Prasad Singh** : Will the Government be pleased to supply the following information :—

- (a) When did the father of Mathura Prasad, ward of Asgaha in district Cawnpore, die?
- (b) How many days after the death of the father of Mathura Prasad ward, did the Collector of Cawnpore take possession of his property?
- (c) At whose instance did the Collector of Cawnpore take possession of the said Mathura Prasad's property?
- (d) How much of the landed property belonging to Mathura Prasad lies in Cawnpore district and how much in Hamirpur district?
- (e) Did the Collector of Hamirpur move the Board of Revenue to take over the estate of Mathura Prasad, minor?
- (f) What is the annual income of the landed property, excluding *sir* of the minor?
- (g) How much *sir* and *khudkasht* had been cultivated by the deceased father of the minor in his lifetime and what was the approximate income from such *sir* and *khudkasht* to the deceased?
- (h) Has the Court of Wards cultivated the whole of *sir* and *khudkasht* of the minor? If not the whole, how much of it and what was done with the rest? What does the Court of Wards propose to do in connexion with that *sir* and *khudkasht* in future?
- (i) Did the mother of the minor request the Collector of Cawnpore to give her at least one year's time in order to show to the authorities that she could manage the estate properly? If so, why was her request not acceded to?
- (j) Was the advisory committee of the district consulted by the Collector of Cawnpore before he took over charge of the estate of Mathura Prasad, minor, or before he recommended to the Government to take the estate under the superintendence of the Court of Wards? If not, why not?
- (k) Is it a fact that the Board of Revenue sent the case back to the Collector of Cawnpore for consulting the advisory committee?
- (l) Is it a fact that two members of the advisory committee out of three attended the meeting and these two advised the Collector not to take the estate under the Court of Wards but to give a chance to the mother of the ward to manage the estate for some time and she might be asked to furnish the security? If so, was this advice followed by the Collector? If not, why not?
- (m) Was any security demanded from the mother of the minor? If so, whom did she offer as her surety and did the Collector accept the security? If not, on what ground?

The Hon'ble Sir Sam O'Donnell: (a) On August 14, 1926.

(b) Twenty-seven days afterwards, i.e., on September 11, 1926.

(c) An inquiry was started on the application of Seth Manohar Lal, the brother of the late Seth Tika Ram. The estate was taken over under section 14 of the Court of Wards Act when the inquiry showed that the circumstances justified it.

(d) There is landed property with an annual income of Rs. 208-4-10 in the Cawnpore district and Rs. 11,956-14-10 in the Hamirpur district.

(e) No. The Collector of Hamirpur was precluded from doing so, as note 2 to paragraph 4 of the Court of Wards Manual lays it down that "the reference shall be made by the Collector of the district in which the headquarters of the estate lie."

(f) Rupees 12,165-3-8.

(g) The total area of *sir* and *khudkasht* in both the districts is 866 *bighas* and 14 *biswas*. Some of this area was cultivated by the dependents, some was let out on the *batai* system, and the rest was cultivated by Seth Tika Ram himself. It is not possible to state the income from *sir* and *khudkasht* in the lifetime of Seth Tika Ram as no accounts giving this information were found by the Court of Wards among the estate papers.

(h) No. Just after the assumption of the charge of the estate under section 14 of the Court of Wards Act the widow applied to the Collector of Hamirpur asking for seed for sowing the *sir* and *khudkasht* land. The request was granted and the lady was supplied with seed. Her servants, however, neglected the cultivation with the result that the outturn last year was poor. It is proposed subject to the concurrence of the Board to lease out the *sir* and *khudkasht* land to cash-rent tenants, reserving a small area for the lady's own cultivation should she so desire it.

(i) Yes. The request was not acceded, to as the mother of the ward is a young woman and inexperienced and not fit to manage an estate.

(j) No. It is not provided in the Court of Wards Act that the Advisory Committee should be consulted before taking over an estate under section 14. This is an emergency section where very prompt action has to be taken. Shortly after the assumption of the estate there was a meeting of the Advisory Committee attended by one member only. He was consulted verbally and was in favour of the assumption of the charge of the estate.

(k) Yes.

(l) Yes. The Collector was asked to allow the mother to manage the estate under the superintendence of one Seth Amar Chand of Jalaun district. This was not accepted as the Collector of Jalaun reported that Seth Amar Chand was not a fit man for the purpose.

(m) No security was demanded from the mother of the minor. She proposed, however, that Seth Amar Chand should be put in as manager of the estate and should furnish security. This was not accepted for the reasons given in answer to (l).

ESTATES OF

MUSAMMAT CHHOTI BAHU AND THE WIDOW OF BAKU SINGH.

* 27. **Thakur Har Prasad Singh :** (a) Did Chaudhri Fateh Singh of Pahra, pargana Maudaha, district Hamirpur, apply to the Collector of Banda praying for the taking over of the estates of his brother's widow, Musammat Chhoti Bahu and the widow of Baku Singh? (b) If so, what happened to it?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) The application was rejected because on inquiry it was found that there were not sufficient grounds for holding that these ladies were incapable of managing their property.

SESSIONS AND SUBORDINATE JUDGE OF BANDA.

* 28. **Thakur Har Prasad Singh :** Is it a fact that the Sessions and Subordinate Judge of Banda does not get time to do civil work on account of sessions cases and criminal appeals?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

DEPUTATION OF AN ADDITIONAL SUBORDINATE JUDGE TO BANDA.

* 29. **Thakur Har Prasad Singh :** Is it a fact that the Government has to depute an additional subordinate judge every year to dispose of the civil work of Banda?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

POWERS DELEGATED TO THE SESSIONS AND SUBORDINATE JUDGE OF BANDA.

* 30. **Thakur Har Prasad Singh :** (a) Is it a fact that all sorts of powers excepting powers to try cases of insolvency exceeding Rs. 5,000, cases under the Guardians and Wards Act, and the revenue appeals, invested in the district judge, have been delegated to the Sessions and Subordinate Judge of Banda? (b) If so, why does not the Government re-establish the district judgeship at Banda?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No. The sessions and subordinate judge is also not authorized to deal with cases under the Land Acquisition Act, the Indian Succession Act, and the Probate and Administration Act. He is also, for obvious reasons, not competent to dispose of subordinate judge appeals.

(b) Because there is not sufficient work for a District Judge and a subordinate judge at Banda.

COURT HOURS IN BUNDELKHAND.

* 31. **Thakur Har Prasad Singh :** (a) Is it a fact that morning courts are held in some districts of Bundelkhand in summer season? If so, under whose orders?

(b) Is there any order of Government or the High Court which regulates the timings of the courts in different seasons in Bundelkhand division?

(d) Is it a fact that in some districts of Bundelkhand morning courts are held, while in others courts are held in the noon time? If so, why is there this inconsistency?

(e) Is it a fact that the authorities at Banda were moved this year by some members of the Bar for the change of the time of the courts from noon to morning? If so, why was the time not changed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) and (b) Morning courts were held this year in Jalaun and Hamirpur, but not in Banda or Jhansi. The general rule is that morning courts are only held in stations where all courts adopt the changed hours. For such change the orders of the commissioner and of the senior judicial officer in the station are necessary under the note to paragraph 384 of the Manual of Government Orders.

(c) The difference in the practice in different districts is due to differences in local conditions.

(d) Yes: there was however another application to the opposite effect. The request was not granted because the sessions and subordinate judge was satisfied that the change would be most inconvenient for the majority of litigants.

AGRICULTURAL WORKSHOP AT CAWNPORE.

* 32. **Chaudhri Mangat Singh :** Will the Government be pleased to place on the table the profit and loss accounts for the last five years of the agricultural workshop at Cawnpore ?

* 33. If the agricultural workshop at Cawnpore is a losing concern, will the Government be pleased to explain the reasons why it is so ?

The Hon'ble Thakur Rajendra Singh : 32 and 33. The agricultural workshop at Cawnpore is maintained by Government for the purpose of giving assistance free of cost to zamindars who are installing tube wells and other machinery. Customers pay only the actual cost of the materials and labour employed in the work. The question of profit and loss does not, therefore, arise.

* 34. **Chaudhri Mangat Singh :** Will the Government be pleased to state whether the prices charged from the farmers for the strainers are cost prices or the Government make any profit out of it ?

The Hon'ble Thakur Rajendra Singh : Government do not make any profit from the sale of strainers to zamindars.

Chaudhri Mangat Singh : Have the Government any intention to have the strainers manufactured in future by private firms and private individuals ?

The Hon'ble Thakur Rajendra Singh : We have not considered this question.

Lala Nemi Saran : Is Government aware that these strainers can be supplied by private firms at a lower cost than they are manufactured by the workshops ?

The Hon'ble Thakur Rajendra Singh : We are not aware.

Lala Nemi Saran : Is it the intention of the Government to go into this question and inquire about it ?

The Hon'ble Thakur Rajendra Singh : There is no use in doing so.

* 35. **Chaudhri Mangat Singh :** Has the Government made any attempts to have the strainers manufactured by private firms or individuals ?

The Hon'ble Thakur Rajendra Singh : The reply is in the negative.

TUBE WELLS.

* 36. **Chaudhri Mangat Singh:** (1) Will the Government be pleased to state the amount charged on an average for tube wells of 4 inches to 6 inches in diameter?

(2) Will the Government be further pleased to state the details as to how the selling price of these tube wells is arrived at?

Rs.

The Hon'ble Thakur Rajendra Singh:

Four-inch tube well with engine and pump ... 6,000

Six-inch ditto ditto ... 8,800

Two estimates in detail are laid on the honourable member's table.

(See Appendix C, page 352.)

* 37. **Chaudhri Mangat Singh:** (1) Is there any general rule by which the price is charged for different sorts of tube wells? Are the charges uniform in all the cases excepting the cost of boring charges and the length of pipes and strainers?

(2) If they are not uniform, will the Government be pleased to state the reasons for variation?

The Hon'ble Thakur Rajendra Singh: (1) The charges for tube wells cannot be uniform, as these depend on variable conditions, such as water level, size of engine and pump. The principle on which charges are made is the same in all cases.

(2) The materials purchased are charged at the actual purchase price and materials made in the workshop are charged for at the cost of production.

* 38. **Chaudhri Mangat Singh:** (1) How much time does it take to put in a tube well?

(2) How many tube wells for which money was deposited more than a year ago, have not yet been completed?

The Hon'ble Thakur Rajendra Singh: (1) The time ordinarily required to put down a tube well is six months. A difficult boring or a breakage of machinery may extend the period to a year or eighteen months.

(2) There are eleven tube wells in hand for which money was received more than a year ago.

Chaudhri Mangat Singh: How do the Government intend to remove the grievance that tube wells are not sunk in proper time?

The Hon'ble the President: Does that arise out of the question on the notice paper?

Chaudhri Mangat Singh: Is there any special reason which the Government can give as to why such a large number of tube wells as eleven is lying incomplete in spite of the fact that money has been received by the department more than a year ago?

The Hon'ble Thakur Rajendra Singh: The reason has already been given.

Lala Nemi Saran : Am I to understand that in all these eleven cases there has been trouble on account of the soil, in the boring, or the machinery?

The Hon'ble Thakur Rajendra Singh : I cannot answer, but an inquiry will be made.

INDIGENOUS INDUSTRIES IN MEERUT, AGRA, AND ALIGARH.

* 39. **Mr. Muhammad Abdul Bari :** Is the Government aware that scissors are manufactured in Meerut; leather goods, durries, and carpets in Agra; and locks in Aligarh?

The Hon'ble Thakur Rajendra Singh : Yes.

* 40. **Mr. Muhammad Abdul Bari :** Does the Government know that there is a great demand for these articles and that lack of funds prevent their proper development and sufficient production to meet this demand?

The Hon'ble Thakur Rajendra Singh : There is some demand for the scissors made at Meerut and a fairly large demand for other products mentioned in the question. Individual manufacturers are handicapped by lack of funds; but inadequacy of capital is neither the only nor the most important factor which adversely affects further development.

* 41. **Mr. Muhammad Abdul Bari :** Will the Government be pleased to state what steps have been or are proposed to be taken to encourage these indigenous industries?

* 42. Are there any grants given to manufacturers of the above-mentioned articles? If so, what is the amount in each district?

The Hon'ble Thakur Rajendra Singh : A school for imparting instruction in the use of better methods and appliances was started at Aligarh for the benefit of metal-working industries and large quantities of locks from the manufacturers at Aligarh are bought for use in Government departments every year. Another school for assisting the development of leather manufactures was established at Agra. A grant of Rs. 3,000 was sanctioned with the object of enabling one of the carpet manufacturers to spin his own yarn and start a factory on improved lines, but was not taken. A scheme for providing facilities for obtaining dyed yarn for use in the manufacture of carpets is before the Government. A loan of Rs. 5,000 was sanctioned for one of the scissors manufacturers at Meerut to assist him in the employment of labour-saving machinery, but was not taken.

* 43. **Mr. Muhammad Abdul Bari :** If the answer to the foregoing question is in the negative, will the Government be pleased to take steps to encourage and improve these manufactures by substantial financial aid?

The Hon'ble Thakur Rajendra Singh : The Board of Industries and Board of Loan Commissioners are always prepared to consider promising schemes for financial assistance to industries.

GRANTS FOR LIBRARIES.

* 44. **Mr. Muhammad Abdul Bari :** Will the Government be pleased to state if there is a grant for the Aligarh Muslim University library?

The Hon'ble Sir Sam O'Donnell: No.

* 45. **Mr. Muhammad Abdul Bari:** Are there recurring grants for libraries of other universities?

The Hon'ble Sir Sam O'Donnell: No.

* 46. **Mr. Muhammad Abdul Bari:** (1) Is the Aligarh Muslim University library treated on the same footing in this respect as other universities?

(2) If not, will the Government be pleased to remove the distinction and treat the above library with the same consideration as other university libraries are treated?

The Hon'ble Sir Sam O'Donnell: The reply to the first part of the question is in the affirmative: the second part does not arise.

DEATHS IN THE AGRA CENTRAL JAIL.

* 47. **Mr. Muhammad Abdul Bari:** Will the Government be pleased to lay on the table a statement showing the number of persons who died in the Agra Central Jail during the years 1925, 1926, and 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:

1925	...	...	...	...	...	18
1926	...	...	...	...	...	32
1927 to September 30	...	...	...	...	...	18

* 48. **Mr. Muhammad Abdul Bari:** Is this increase of death-rate in the above jail, during the present year, due to any epidemic?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There has not been any increase in the death-rate.

* 49. **Mr. Muhammad Abdul Bari:** Will the Government be pleased to give the ages and weight and the general condition of their health at the time of admission, of the convicts who died during 1927 and the cause of death in each separate case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

(See Appendix D, page 354.)

* 50. **Mr. Muhammad Abdul Bari:** Were these convicts sufficiently provided with blankets and clothing during the cold weather?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

* 51. **Mr. Muhammad Abdul Bari:** Did the Inspector-General of Prisons make any inquiries into the causes of deaths of the convicts which occurred in 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

* 52. **Mr. Muhammad Abdul Bari:** What was the explanation of the Superintendent of the Agra Central Jail as to this high rate of mortality in 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Does not arise.

* 53. **Mr. Muhammad Abdul Bari:** (1) Was the Inspector-General of Prisons satisfied with that explanation?

(2) If not, what steps were taken to improve the conditions of the jail?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Does not arise.

EXEMPTION OF HINDU AND MUSLIM CONVICTS FROM HARD LABOUR
DURING THEIR FASTING FESTIVALS.

* 54. **Mr. Muhammad Abdul Bari:** Will the Government be pleased to state whether the Hindu and Muslim convicts in various jails in the United Provinces who observe fast during their fasting festivals are exempted from hard labour and provided with special diet during those festivals?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: In accordance with the recommendations of the Indian Jails Committee no relaxation of labour is ordinarily allowed to prisoners who are observing fasts, nor is any special diet given to them. Relaxation of labour is given only when it is seen to be necessary on medical grounds.

* 55. **Mr. Muhammad Abdul Bari:** Are the Muslim convicts provided with *sakri* during the fasting days?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Muslim prisoners who are observing fasts in Ramzan are permitted to receive the whole of their daily ration at the evening meal and are also permitted to take it into their sleeping barracks and retain any portion of it for consumption in the morning.

HINDUS AND MUSLIMS IN AGRA TEACHERS' TRAINING COLLEGE.

* 56. **Mr. Muhammad Abdul Bari:** Will the Government be pleased to state the number of Hindu and Muslim candidates admitted to the Agra Teachers' Training College each year during the last five years?

The Hon'ble Rai Rajeshwar Bali: A statement is laid on the table of the honourable member.

(See Appendix B, page 354.)

* 57. **Mr. Muhammad Abdul Bari:** Do Government intend to issue instructions to the authorities concerned to increase the proportion of the Muslim candidates in the said institution?

The Hon'ble Rai Rajeshwar Bali: Government understand that when qualified Muslim candidates are forthcoming a fair proportion are admitted: if the honourable member knows of instances in which a number of qualified Muslim candidates have been rejected he may bring these to the notice of the Director of Public Instruction who will make inquiries regarding the reasons for rejection.

HOUSE ALLOWANCE TO ASSISTANT POLICE COURT INSPECTORS.

* 58. **Mr. Muhammad Abdul Bari:** Is it a fact that assistant police court inspectors in the cities are given only rupees eight per mensem as house allowance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Police sub-inspectors are not entitled to house allowance. Where they and their families cannot be accommodated in government quarters, the Inspector-General of Police is authorized to pay their house rent up to a maximum of Rs. 10 per mensem within the limits of his budget grant under head "Lodgings." The rate paid for prosecuting sub-inspectors is at present Rs. 8 per mensem everywhere, except in Cawnpore where Government have sanctioned the payment of Rs. 15 as a special case.

* 59. **Mr. Muhammad Abdul Bari:** Has it been brought to the notice of the Government that it is impossible to get a house with a stable in the cities for less than Rs. 20 per mensem?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No. Moreover, prosecuting sub-inspectors do not need stables.

* 60. **Mr. Muhammad Abdul Bari:** Will the Government be pleased to consider the desirability of increasing this allowance to assist court inspectors?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Any representations made through the proper channels by any of the officers affected will be considered on their merits by the Inspector-General of Police with due regard to financial considerations and to the claims of other officers. It must be remembered that to pay the full rent of family quarters for all police officers of and below the rank of sub-inspector would require a very substantial addition to the present budget grant.

CLASSIFICATION OF TAHSILDARS.

* 61. **Mr. Muhammad Abdul Bari:** Is it a fact that the tahsildars are second class officers according to the Civil Service Regulations?

The Hon'ble Sir Sam O'Donnell: Yes.

TRAVELLING ALLOWANCE TO TAHSILDARS AND OTHER SECOND CLASS OFFICERS.

* 62. **Mr. Muhammad Abdul Bari:** Is there any difference in the matter of travelling allowance allowed to second class officers of other departments and that allowed to tahsildars? If so, why?

* 63. Is it a fact that according to rules in force in the Public Works Department supervisors carrying salaries from Rs. 150 to Rs. 250 per mensem draw Rs. 2-8-0 per day as travelling allowance and overseers and canal ziladars with a pay of Rs. 80 to Rs. 150 per mensem draw Rs. 2 per day as travelling allowance without any restriction of the number of days spent out of station?

* 64. Is it also a fact that tahsildars with a pay of Rs. 90 to Rs. 360 per mensem are given only Re. 1-12-0 per day as travelling allowance and naib-tahsildars with a pay of Rs. 100 to Rs. 150 per mensem get only Re. 1-4 per day as travelling allowance and that too on the condition that they stay out of the station for at least two consecutive nights?

The Hon'ble Sir Sam O'Donnell: 62 to 64. No: the travelling allowance is the same for all second class officers. The figures quoted relate to daily allowance which is regulated according to conditions of service in different departments.

* 65. **Mr. Muhammad Abdul Bari:** Do Government intend to take steps to remove the distinction ?

The Hon'ble Sir Sam O'Donnell: No.

HORSE ALLOWANCE FOR CERTAIN OFFICERS.

* 66. **Mr. Muhammad Abdul Bari:** Do the duties and functions of a supervisor qanungo, a naib-tahsildar, and a tahsildar necessitate the keeping of a horse ?

* 67. (1) Are these officers given allowance for keeping the horse ?

(2) If so, how much in each case and, if not, why ?

The Hon'ble Sir Sam O'Donnell: 66 and 67. The honourable member is referred to the answer given to parts (a) and (b) of unstarred question No. 54 on September 5, 1924. The same applies to tahsildars and naib-tahsildars.

Copy of unstarred question No. 54 (a) and (b) asked by LALA NEMI SARAN SAHIB and the answer given on September 5, 1924.

QUESTION.

(a) Is the Government aware that the supervisor qanungos are obliged to keep a horse for the efficient discharge of their official duty ?

(b) Is it a fact that they are not allowed any horse allowance ?

ANSWER.

(a) Supervisor qanungos are not obliged to keep a horse for the discharge of their official duties, but in practice do so.

(b) Yes.

MUNSHI TAJAMMUL HUSAIN OF BISWAN TOWN AREA, SITAPUR.

* 68. **Pandit Nanak Chand:** Is the Government aware that Munshi Tajammul Husain, member-in-charge, town area, Biswan (district Sitapur), tries, as honorary magistrate, cases challaned by himself ?

The Hon'ble Nawab Muhammad Yusuf: The practice has been for reports to be made by the *bakhshi* of the Biswan town area to Sheikh Tajammul Husain as member of the town area committee and forwarded by him for disposal to the bench of honorary magistrates of which he himself is a member. Steps have been taken to change this procedure and in future the *bakhshi* will send his reports for orders to the town magistrate.

Pandit Nanak Chand: Will the Hon'ble the Home Member state in how many cases the said honorary magistrate challaned cases to his own court and whether they were not examined by the Sub-Divisional Officer at all ?

The Hon'ble the President: Is this not a fresh question ?

* 69. **Pandit Nanak Chand:** Will the Government be pleased to furnish the following information about Munshi Tajammul Husain, member-in-charge, Biswan town area ?—

(a) Educational qualifications.

(b) Amount paid as—

(i) land revenue,

(ii) income-tax,

(iii) house-tax.

(c) The value of house property (if any).

The Hon'ble Nawab Muhammad Yusuf: (a) Has read up to the eighth English standard and knows Urdu, Persian, and Arabic.

(b) (i) Nil.

(ii) Nil.

(iii) No house tax is assessed in Biswan. Shaikh Tajammul Husain is, however, assessed to Rs. 5 on account of the tax on circumstances levied by the town area.

(c) Nil.

Pandit Nanak Chand: Will the Hon'ble the Home Member . . .

The Hon'ble the President: The question has been answered by the Hon'ble the Minister for Local Self-Government and not by the Hon'ble the Home Member. Does the honourable member wish to put a question to the Hon'ble the Home Member?

Pandit Nanak Chand: Yes, Sir.

Will the Hon'ble the Home Member be pleased to state if any regard is paid to the income, status, and position of a person before appointing him an honorary magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: This question hardly arises out of the reply that I gave to question No. 68. Further, question No. 69 concerns the Hon'ble the Minister for Local Self-Government.

Rai Bahadur Lala Mathura Prasad Mehrotra: May I know if the department of Administration of Justice is in the charge of the Hon'ble the Minister or the Hon'ble the Home Member?

The Hon'ble the President: That would require notice.

* 70. **Pandit Nanak Chand:** For what qualifications was he appointed bench magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: He is an educated gentleman of good standing, who has done useful work as member of Biswan town area committee and as *sarpanch* of the Jahan-girabad *panchayat*.

TRANSFER OF OFFICIALS IN BULANDSHAHR DISTRICT.

* 71. **Pandit Nanak Chand:** (a) Is it a fact that from October 1926 to April 1927, about one hundred transfers of officials drawing equal pay (other than officials promoted) were effected in Bulandshahr district revenue offices?

(b) What is the total amount of travelling allowance paid to the officials who were transferred on equal pay during this period?

(c) Is it a fact that the Accountant-General had issued instructions to district officers in 1919 against transfers on equal pay in the interest of economy under the head "Travelling allowances"?

The Hon'ble Sir Sam O'Donnell: (a) The answer is in the negative.

Forty-two transfers were effected during the period from October 1926 to April 1927, as detailed below:—

Twenty in connexion with the ten vacancies in the permanent establishment caused by the retirement, death, and dismissal of officials.

Seven in connexion with leave vacancies.

Ten on the complaints received from tahsildars and other officers

Five officials were transferred for administrative reasons.

(b) The total amount paid to 26 officials out of 42 on account of travelling allowance amounts to Rs. 305-15. The remaining sixteen were not entitled to it under the rules.

(c) Government are not aware of any such instructions.

Pandit Nanak Chand : Do the figures given by the Government include the transfers of naib-tahsildars, supervisor qanungos, mu-harrir peshi as well as transfers from one post to another on the same pay?

The Hon'ble Sir Sam O'Donnell : I think the figures include the transfers of naib-tahsildars.

Pandit Nanak Chand : Do they include the transfers of supervisor qanungos?

The Hon'ble Sir Sam O'Donnell : Probably.

Pandit Nanak Chand : Is the Government aware that the figures supplied to Government about these transfers and the amount shown in the answer were found to be incorrect by the Inspector of Offices?

The Hon'ble Sir Sam O'Donnell : I am not aware.

Pandit Nanak Chand : Will the Government be pleased to make inquiries?

The Hon'ble Sir Sam O'Donnell : I see no reason to make inquiries.

BULANDSHAHR COLLECTORATE COURT STAFF.

* 72. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table showing the names of officials who were rewarded for their good hand-writing or whose promotions were withheld for their bad writing in the Bulandshahr collectorate court staff in compliance with Board of Revenue's circular letter no. 1/II—2578, dated January 18, 1923, to district officers and commissioners?

The Hon'ble Sir Sam O'Donnell : No such case has arisen in this district.

IRRIGATION *Jamabandis*.

* 73. **Pandit Nanak Chand :** (a) Is the Government aware that irrigation *jamabandis* are usually supplied to zamindars after the crops to which they relate have been harvested?

(b) Is the Government aware that this practice results in difficulties in realizing the irrigation dues from tenants?

(c) Will the Government consider the desirability of issuing instructions that the *jamabandis* be supplied before the crops to which they relate are harvested to enable zamindars to realize from the said crop, if necessary?

The Hon'ble Sir Sam O'Donnell : (a) The latest dates for submission of the *jamabandis* by canal officers are November 15 for the *kharif* and May 1 for the *rabi*. They are distributed to the *lambardars* as soon as they are received by the collector.

(b) and (c) These are the earliest dates by which the *jamabandis* can be distributed in a correct and complete form. Government have considered a return to an earlier system by which advance *jamabandis* were followed by supplementary ones and correction slips. But they believe that if this system were again adopted the defects which led to its alteration would recur in a more aggravated form, as irrigation has expanded. One of the chief of those defects was the inaccuracy and incompleteness of the advance *jamabandis*, which could not be checked by the prescribed dates. The confusion which resulted from the numerous addenda and corrigenda caused inconvenience to the lambardars, which Government believe to be greater than that which they experience under the present system. They do not consider, therefore, that any practicable change would be to the lambardars' advantage.

ARABIC MADRASAS AND SANSKRIT PATHSHALAS.

*74. **Pandit Nanak Chand :** (a) What was the total government grant for Arabic madrasas and Sanskrit pathshalas respectively allotted during the each of the last five years ?

(b) What was the maximum grant given to an individual Sanskrit pathshala and Arabic madrasa in 1925-26 and 1926-27, respectively ?

(c) What is the total number of recognized Sanskrit pathshalas and the Arabic madrasas with the total number of students receiving instruction in each class of the institution ?

The Hon'ble Rai Rajeshwar Bali : (a), (b) and (c) Statements are laid on the table of the honourable member.

(See Appendix F, page 354.)

HIGH SCHOOL SCHOLARSHIPS.

*75. **Pandit Nanak Chand :** (a) What was the amount allotted to be spent on high school scholarships in 1926-27 and 1927-28 respectively ?

(b) Has the Government abolished this scholarship from 1928 ? If so, why ?

(c) How do the Government propose to utilize the saving consequent on the abolition of the scholarship ?

The Hon'ble Rai Rajeshwar Bali : (a) Rupees 19,200 in each of the two years.

(b) Yes, on the recommendation of the Cole Revision Committee.

(c) The saving will be utilized in awarding high school stipends of the value of Rs. 10 per mensem each in each high school (Government and aided) under revised paragraph 361D of the Education Code.

Pandit Nanak Chand : When is the revised Education Code to be published ?

The Hon'ble the President : That does not arise out of the question here.

Pandit Nanak Chand : That publication to which a reference has been made is not available for the use of the public.

The Hon'ble the President : That is a different matter.

NAIK REFORM COMMITTEE'S BILL.

* 76. **Pandit Nanak Chand :** (a) When and what steps, if any, has the Government taken so far in connexion with the progress of the Bill proposed by the Naik Reform Committee?

(b) At what stage is the Bill at present?

(c) When do the Government propose to introduce the Bill before the Council?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The Bill is already before the House.

REPORT OF THE WETHERILL COMMITTEE.

* 77. **Pandit Nanak Chand :** What action, if any, have Government taken or do they propose to take on the report of the Wetherill Committee on primary education?

The Hon'ble Rai Rajeshwar Bali : The report is under consideration.

Pandit Nanak Chand : What time will the Government take to arrive at a decision?

The Hon'ble Rai Rajeshwar Bali : It is impossible to say that.

CONSTITUTION OF A NEW TOWN AREA.

* 78. **Pandit Nanak Chand :** (a) What factors are taken into consideration by the Government in constituting a new town area?

(b) What are the necessary requisites for constituting a new town area?

(c) Has the Government laid down any standard of minimum and maximum population for constituting a new town area? If not, do they propose to lay down any such standard? If not, why?

The Hon'ble Nawab Muhammad Yusuf : *(a) The honourable member is referred to the answer given to starred question No. 28 on August 10, 1921.

(b) The honourable member is referred to the proviso to section 3(i) of the Town Areas Act.

(c) (1) No.

(2) It is not proposed to lay down any such standard, since population is not the sole consideration to be taken into account in constituting a town area.

Starred question No. 28 for the Council meeting of August 10, 1921.

PANDIT BRIJNANDAN PRASAD MISRA SAHIB.

* Will the Government kindly inform the Council what facts it takes into account in deciding whether or not to notify any area as a town area?

Will the Government be pleased to lay on the table the correspondence that passed between the Government and the Magistrate of Pilibhit in connexion with, and prior to, the notification of Purnapur as a town area?

(Answer to starred question No. 28 asked by PANDIT BRIJNANDAN PRASAD MISRA SAHIB.)

* (a) Before notifying an area as a town area the Government satisfy themselves—

- (1) that the locality is not an agricultural village and does not contain any such village;
- (2) that it is of sufficient size and importance to justify the making of provision for sanitation, lighting and improvements.

(b) No.

TOWN AND NOTIFIED AREAS.

* 79. **Pandit Nanak Chand :** (a) What is the total number of town and notified areas respectively in these provinces ?

(b) What is the number of town and notified areas, respectively, constituted each year from 1921 to 1926 ?

The Hon'ble Nawab Muhammad Yusuf :

(a) Number of town areas	265
Number of notified areas	52

(b) Year.	Number of town areas constituted.	Number of notified areas constituted.
1921	2	Nil
1922	Nil	2
1923	Nil	Nil
1924	Nil	1
1925	1	Nil
1926	1	3
Total	4	6

CONSTITUTION OF A MUNICIPAL BOARD FOR BASTI.

* 80. **Pandit Nanak Chand :** Do Government propose to constitute a municipal board for Basti instead of the town area ? If not, why ?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) The honourable member is referred to the answer given to unstarred Council question No. 22 on June 25, 1926.

Unstarred question No. 22 for June 25, 1926.

(BHAYA HANUMAT PRASAD SINGH SAHIB.)

Will the Government be pleased to lay on the table a statement showing the area, annual income and population of the Basti town area according to the census of 1921 ?

Does the Government contemplate to turn the above town area into a notified area ?

If so, by what time is it expected ?

Answer to unstarred question No. 22 asked by BHAYA HANUMAT PRASAD SINGH SAHIB at the Council meeting of June 25, 1926.

The area of the town is not known, but it is about four miles north and south and about two miles east and west. The income during 1924-25 was Rs. 20,061 and population 17,691. The Government agree with the local opinion that the proposal for converting the town area into a notified area may be postponed for the present.

STANDARD OF POPULATION FOR CONSTITUTING A NOTIFIED AREA AND A MUNICIPALITY.

* 31. **Pandit Nanak Chand**: (a) Has the Government laid down any maximum and minimum standard of population for constituting a notified area and a municipality, respectively? (b) If so, what are the standards? (c) If not, do they propose to fix such standards? (d) If not, why?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) Does not arise.

(c) No.

(d) Because population is not the sole consideration to be taken into account in constituting a notified area or a municipality.

VARIATION IN THE NUMBER OF MUSLIM AND NON-MUSLIM SEATS ELECTED IN MUNICIPALITIES.

* 32. **Pandit Nanak Chand**: Has there been any variation in the number of Muslim and non-Muslim elected members since it was fixed in 1916, in the case of any municipality? If so, where, to what extent, and for what reasons?

The Hon'ble Nawab Muhammad Yusuf: As required by section 12(5) of the Municipalities Act, the number of Muslim and non-Muslim elected seats in the various municipalities was re-determined after the census of 1921 with the result that in the municipalities of Saharanpur, Koil (Aligarh), Firozabad, Dhampur, Kanauj, Etawah, Allahabad, Jhansi, Mau, Banda, Mirzapur, Jaunpur, Ghazipur, Benares, Bahraich, Fatehgarh-cum-Farrukhabad, Hapur and Mutttra either the Muslim or non-Muslim seats were raised by one, while the non-Muslims gained two seats in the municipality of Fyzabad.

CONVICTIONS FOR RASH RIDING IN NAINI TAL.

* 33. **Chaudhri Vijai Pal Singh**: How many persons were convicted for fast and rash riding in Naini Tal in 1926 and how many of them were Indians and how many were Europeans?

The Hon'ble Nawab Muhammad Yusuf: (a) Fifteen.

(b) Thirteen Indians and two Europeans.

Chaudhri Vijai Pal Singh: Will the Hon'ble the Minister give any special reasons why only two Europeans were convicted?

The Hon'ble Nawab Muhammad Yusuf: Obviously thirteen Indians committed this offence while only two Europeans did so.

ABOLITION OF ZAMANIA TAHSIL.

* 34. **Thakur Shiva Shankar Singh**: With reference to question No. 55 of April 2 last, will the Government be pleased to give a detailed account of the savings given in the answer to part (3) of the question referred to?

The Hon'ble Sir Sam O'Donnell: A statement is laid on the honourable member's table.

(See Appendix G, page 355.)

KURK-AMINS IN BULANDSHAHR.

*85. **Pandit Brijnandan Prasad Misra:** (a) Is it a fact that in September, 1926 Mr. Khurshed, Collector, Bulandshahr, reduced the pay of two kurk-amins and placed them in the clerical establishment? What were their respective grades and what were the grounds of their reduction? Were there any complaints against them? Were the two consequent vacancies of kurk-amins filled up by the graded promotions from the office staff or by direct appointments? If the latter, why? Were no qualified officials available for promotion?

(b) What was the number of Hindu amins directly affected by the reduction?

(c) What was the number of Muslim amins appointed to the vacancies?

(d) What was the number of Hindu and Muslim kurk-amins in Bulandshahr collectorate in April, 1923 and April, 1927, respectively?

The Hon'ble Sir Sam O'Donnell: (a) Two kurk-amins in the Rs. 50 and Rs. 45 grades were reverted to the regular line in the Rs. 45 and Rs. 40 grades, respectively. It has long been customary in this district to treat the post of kurk-amins as interchangeable with posts in the clerical establishment, and the transfers occurred in consequence of retirements in the latter. Reduction was made for no fault, but it was necessary to ensure that reversion to the regular line did not involve the supersession of senior officials. The vacancies among kurk-amins were filled by the direct appointment of two deserving candidates, considered more suitable than junior officials already employed.

(b) The two kurk-amins were Hindus.

(c) The two newly appointed kurk-amins were Muhammadans, but both were removed in consequence of extensions to the retiring officials.

(d) In April, 1923, there were six Hindu and two Muslim kurk-amins. In April, 1927, there were five Hindus and five Muslims, the establishment having been increased by two during the interval.

PROMOTION OF A MUSLIM GRADUATE.

*86. **Pandit Brijnandan Prasad Misra:** (a) Is it a fact that Mr. Khurshed, Collector, Bulandshahr, promoted in September, 1926, a Muslim graduate official from the Rs. 30 to Rs. 90 grade superseding several officials in the intervening grades? What was the number of officials so superseded?

(b) What was the length of his regular and active service in the collectorate after completing his apprenticeship excluding the period of leave?

(c) What are the qualifications which Government requires to be considered for determining graded promotions in paragraph 332 of the Manual of Government Orders besides educational qualification under the phrase *caeteris paribus*? Are (1) experience, (2) length of service, (3) good record and (4) seniority in grade among such qualifications?

(d) Is it a fact that the graduate referred to in part (a) who was reverted to his post at Rs. 30 by the commissioner in appeal preferred by superseded officials has again been promoted to the post of Rs. 60 per mensem superseding all officials in Rs. 35, Rs. 40 and Rs. 45 grades?

(e) Do Government intend to draw the attention of the collector and commissioner to their reply to starred question No. 27, dated March 14, 1927?

(f) For what periods has the said graduate been on leave since he joined the Bulandshahr collectorate? Did he specify the objects of his leave in his applications? Were the provisions of article 60, Civil Service Regulations, taken into consideration in giving him the two promotions?

(g) Was any permission obtained before the said graduate joined the Muslim University for taking his B. A. and for his study for M. A.? If so, whose? If not, why not?

The Hon'ble Sir Sam O'Donnell: (a) The answer is in the affirmative. About 70 officials were superseded.

(b) His regular service was two and a half years, of which seventeen months were spent on leave, this official being specially granted leave for the purpose of graduating at a university.

(c) No rigid conditions are prescribed, and general suitability turns on numerous factors.

(d) Yes, in consequence of the direction that he should be promoted gradually to higher grades at suitable intervals.

(e) No.

(f) Leave was granted for the following periods:—

December 5, 1924 to December 22, 1924.

January 6, 1925 to January 23, 1925.

February 1, 1925 to February 3, 1925.

February 8, 1925 to July 2, 1926.

February 1, 1927 to May 11, 1927.

May 16, 1927, to date.

Leave was granted as already stated in (b). Article 60, Civil Service Regulations, has been superseded by the Fundamental leave rules.

(g) Permission was given by the collector.

Pandit Nanak Chand: Were these kurk-amins reduced in the interests of the clerical establishment for the purpose of interchanging the posts or for importing direct recruits from outside?

The Hon'ble Sir Sam O'Donnell: I have explained that in the answer on the table. Reduction was made for no fault, but it was necessary to ensure that reversion to the regular line did not involve the supersession of senior officials.

Pandit Nanak Chand: Is the Hon'ble the Finance Member in a position to state why no Hindus were appointed when the establishment was increased?

The Hon'ble Sir Sam O'Donnell: Probably for the reason already given in the answer to question No. 88 that the Inspector of Offices pointed out the low proportion of Muhammadan officials in that office.

Pandit Nanak Chand : Is it one of the duties of the Inspector to report about the proportion of posts occupied by the various communities?

The Hon'ble Sir Sam O'Donnell : That is not a special part of his duty, but in the course of his inspection his attention was drawn to this fact evidently.

Pandit Nanak Chand : Was this fact stated in any of his applications that he wanted leave for the purpose of graduating at a university?

The Hon'ble Sir Sam O'Donnell : That I must ask for notice of; I could not say.

Pandit Nanak Chand : What is the number of officials who have been superseded in the Rs. 30, Rs. 40 and Rs. 45 grades by his promotion to Rs. 60 and why have they been superseded?

The Hon'ble Sir Sam O'Donnell : That also I must ask for notice of. I cannot say how many officials were concerned.

Pandit Nanak Chand : The notice was already there, viz. : "has again been promoted to the post of Rs. 60 per mensem superseding all officials in the Rs. 35, Rs. 40 and Rs. 45 grades?"

The Hon'ble Sir Sam O'Donnell : The honourable member has now asked me to give him the number of officials in those grades; that I cannot say.

Pandit Nanak Chand : Is the Hon'ble the Finance Member in a position to state why these officials in the three grades were superseded?

The Hon'ble Sir Sam O'Donnell : Probably because this man was considered to be specially deserving and most suitable.

Pandit Nanak Chand : It is a fact that the Commissioner's sanction was previously obtained in this case when he was promoted from Rs. 30 to Rs. 60?

The Hon'ble Sir Sam O'Donnell : That I do not know.

RETIREMENT OF OFFICIALS IN BULANDSHAHR COLLECTORATE.

*87. **Pandit Brijnandan Prasad Misra :** (a) Is it a fact that in September, 1926, a list of ten collectorate officials over 55 years of age was put up before Mr. Khurshed, Collector, Bulandshahr?

(b) How many of them were Hindus and Muslims, respectively?

(c) Is it a fact that Mr. Khurshed ordered the retirement of five officials before the expiry of the period of the extensions previously granted to them? How many of them were Hindus and Muhammadans respectively?

(d) Is it a fact that the remaining four Muslim and one Hindu officials were allowed to enjoy the extension previously granted along with the officials ordered to be retired under part (c) above, and were they further granted another year's extension, viz., 1927-28?

(e) Is it a fact that a supplementary list of three Hindu officials over 55 years of age was put up in March, 1927? What were the recommendations of the officers under whom they were serving regarding their

extensions and have all of them been required by Khan Bahadur Maulvi Rafi-ud-din Ahmed, Collector, to retire on the completion of 55 years of age? If so, have the provisions of Article 912, Civil Service Regulations, been complied with? If not, what action do Government propose to take?

What are the causes assigned for each individual official for compulsory retirement?

(*f*) Is it a fact that officials ordered to be retired under part (*e*) are younger in age than officials who are allowed extensions under part (*d*) of this question?

The Hon'ble Sir Sam O'Donnell : (*a*) Yes

(*b*) Five Hindus and five Muslims.

(*c*) Yes. The order was subsequently set aside by the commissioner. Four were Hindus and one was a Muslim.

(*d*) Yes.

(*e*) Yes. One was reported by the sub-divisional officer for inefficiency and unsatisfactory conduct, the other two were recommended for extensions, but were retired in consequence of inefficiency and unsatisfactory record, this order being upheld on appeal. Action will be taken under Article 912, Civil Service Regulations, when their applications for pension are submitted.

(*f*) Yes, but the decision was not based on mere age.

APPOINTMENT TO MINISTERIAL VACANCIES IN BULANDSHAHR COLLECTORATE.

*88. **Pandit Brijnandan Prasad Misra :** (*a*) Is it a fact that there have been nine ministerial vacancies in Bulandshahr collectorate since October, 1926?

(*b*) Is it a fact that there are 20 paid apprentices in Bulandshahr collectorate?

(*c*) Is it a fact that of the nine vacancies mentioned in part (*a*) six were filled up by the appointment of senior-most apprentices and the remaining vacancies were filled up by the appointment of three Muslims who were not paid apprentices? Why were paid apprentices not employed to fill up these vacancies and why were outsiders directly appointed to fill them up?

How many paid apprentices had become over age at the time? Were their cases taken into consideration?

(*d*) Is it a fact that the six vacancies among the paid apprentices were filled up by four Muslims and two by non-Muslims?

The Hon'ble Sir Sam O'Donnell. (*a*) No, the actual number is eleven.

(*b*) No, the total number of paid apprentices is eighteen.

(*c*) The vacancies were filled by six Hindu paid apprentices, one Muslim paid apprentice and by two Hindu and two Muslim outsiders, three of whom were already serving in non-pensionable posts. Three paid apprentices had become over age, but all were absorbed on exemption being sanctioned. No paid apprentice became over age by reason of entertainment of outsiders.

(d) The seven vacancies were filled by four Muslims and three Hindus on the recommendation of the Inspector of Offices who had commented on the low proportion of Muhammadan officials in this office.

APPOINTMENTS OF HONORARY OFFICERS IN BULANDSHAHR.

*89 **Pandit Brijnandan Prasad Misra :** (a) Is it a fact that ten new honorary special magistrates and assistant collectors were appointed in 1926-27 in Bulandshahr ?

(b) What was the number of peshi muharrirs employed for the said courts ? How many of them were Muslims ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Six, of whom three were Muslims.

RECRUITMENT IN BULANDSHAHR COLLECTORATE.

*90. **Pandit Brijnandan Prasad Misra :** (a) Will the Government be pleased to state the number of persons recruited from outside the rank of paid apprentices in Bulandshahr collectorate who were recommended to Government for exemption from educational qualifications since September, 1926 ? Are all of them Muslims ?

(b) In how many cases were the recommendations referred to in part (a) accepted by Government ? Was it due to any scarcity of educationally qualified persons ? If not, why were exemptions granted ?

The Hon'ble Sir Sam O'Donnell : (a) Two, both Muslims: one for military services and the other for good work in a non-pensionable appointment.

(b) Both were exempted for the reasons stated in (a).

PETITION AND STAMP-VENDORS.

*91. **Pandit Brijnandan Prasad Misra :** (a) Is the Government aware that in the Bulandshahr district the district officer on the recommendation of Mirza Nur-ud-din Jahangir Qadra, Stamp Officer, has issued orders to all such stamp-vendors who were also petition-writers to the effect that they can do any work, either stamp-vendorship or petition-writership and cancelled the stamp licences of six or seven stamp-vendors ?

(b) Are there any Government orders that the petition-writer cannot sell stamps or a stamp-vendor cannot write petitions ? If so, will the Government be pleased to lay that order on the table ? If not, do Government intend to issue instructions to the Collector, Bulandshahr, to restore the licences so taken back ?

(c) Is it a fact that the persons affected by the above quoted order of the district officer were all Hindus ?

(d) Is it a fact that of the vacant seats some have been given to Muhammadans ?

The Hon'ble Sir Sam O'Donnell : (a) Yes.

(b) There is no such Government order. The revision of the collector's order is under consideration.

(c) The order of the collector affected four Hindus and two Muslims.

(d) No.

*92 to 98. **Pandit Brijnandan Prasad Misra :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

DISTRICT GAZETTEER OF THE MORADABAD DISTRICT.

*99. **Dr. Shafa'at Ahmad Khan :** Has the attention of the Government been drawn to the following statement on page 176 of the District Gazetteer of the Moradabad district, edited by Mr. H. R. Neville, and published in 1911 ?—

“ They—the Saiyids of Amroha—belong to ancient families, but while they are too proud to work for their living they are with few exceptions ignorant, bigoted and decadent.”

The Hon'ble Sir Sam O'Donnell : 99 and 101. The honourable member has done so.

*100. **Dr. Shafa'at Ahmad Khan :** (1) Will the Government be pleased to state if they accept responsibility for the above statement in the Moradabad Gazetteer ?

(2) If the answer is in the negative, will the Government be pleased to state if they intend to expunge such remarks from the next edition of the Gazetteer ?

(*Answered along with No. 101A.*)

*101. **Dr. Shafa'at Ahmad Khan :** Has the attention of the Government been drawn to the following statement on page 176 of the Gazetteer of Moradabad district ?

“ The public interests are wholly subordinated to factional jealousies even among the members of the municipal board.”

(*Answered along with No. 99.*)

*101A. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they intend expunging the remark alluded to in the foregoing question from the next edition of the Gazetteer ?

The Hon'ble Sir Sam O'Donnell : 100 and 101A. The edition of the Gazetteer referred to was issued in 1911; it was published under the orders of the Government which then held charge of the administration; and it dealt with the conditions which obtained in that or preceding years. The present Government do not propose to issue a new edition.

SESSIONS JUDGE AT MEERUT.

*102. **Chaudhri Dharamvir Singh :** Is it a fact that the sessions judge at Meerut comes to court at 9-45 a.m. and holds his court till 6 p.m.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

* 103. **Chaudhri Dharamvir Singh** : Is it a fact that he fixes one criminal appeal daily ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

104. **Chaudhri Dharamvir Singh** : Will the Government be pleased to state the date on which the present Sessions Judge, Mr. H. G. Smith, at Meerut took over the charge of Meerut judgeship ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : July 5, 1927, in the afternoon.

* 105. **Chaudhri Dharamvir Singh** : How many criminal and civil appeals and sessions cases has he disposed of since he took over the charge ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Disposals up to and including September 2, 1927, were as follows :—

Criminal appeals	...	...	...	...	67
Criminal revisions	...	...	...	...	14
Civil appeals	...	...	...	...	10
Sessions cases	...	...	...	...	5

APPRENTICES IN THE MEERUT JUDGESHIP.

* 106. **Chaudhri Dharamvir Singh** : Will the Government be pleased to state the number of apprentices enlisted in the Meerut judgeship during the last two years from among the following classes along with the number of applications rejected, with reasons :—

- (a) Brahmans,
- (b) Jats,
- (c) Vaishyas,
- (d) Khattris,
- (e) Muhammadans.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Four Brahmans, three Jats, two Vaishyas and six Muhammadans were appointed; no Khattris were appointed.

The names of all applicants *prima facie* eligible are entered in a list of candidates and appointments of apprentices are made from these lists according to the priority of their applications, unless any candidate has in the meantime obtained employment. The reasons for rejection of any application follow from the above rules, but no figures are available to show how many applications were rejected.

AMINS IN MEERUT DISTRICT.

* 107. **Chaudhri Dharamvir Singh** : Will the Government be pleased to lay on the table a statement showing the number of miles covered by civil court amins in district Meerut separately during the months of May, June and July, 1927, along with the number of miles covered by the bailiff and the tonga fare paid to him ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement containing the information asked for is laid on the table.

(See Appendix H, page 356.)

Chaudhri Vijai Pal Singh : Adding up the figures for May, June and July, the amins covered 8,063 miles, whereas the bailiff covered only 501 miles. The bailiff, though he covered 501 miles only, was paid Rs. 191 but the amins were not paid any travelling or tonga allowance. Will the Government give any special reasons why these civil court amins should not be paid when they covered such long distances, while bailiffs are paid when they covered a very small distance.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : In the original question there is no hint that the honourable member wanted to put this question and therefore no information was gathered from that point of view.

**RESOLUTION OF RAJA RAGHURAJ SINGH REGARDING ENTRIES
IN POLICE REGISTERS.**

* 108. **Chaudhri Vijai Pal Singh :** What action has the Government taken on the resolution of Raja Raghuraj Singh regarding entries in police registers ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No action has been taken.

Pandit Bhagwat Narayan Bhargava : Is it the intention of Government to take any action at all ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Not at present.

Pandit Bhagwat Narayan Bhargava : May I know the reasons for that ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reasons were given in my speech during the debate. If the honourable member will read it, he will find the reasons given there.

Pandit Bhagwat Narayan Bhargava : May I understand that the Government refuses to act upon the resolution at all ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member can draw his own inference.

**PROSECUTION OF MANAGER OF THE HATHWA ESTATE, NAINI TAL,
AND THE LOCAL AGENT.**

* 109. **Chaudhri Vijai Pal Singh :** For what offence were the manager of the Hathwa estate and the local agent prosecuted at Naini Tal in April-May, 1927, and with what result ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Narbir Singh, an employee of the Hathwa estate, applied for permission to have fireworks, music, etc., at a certain house in connexion with a wedding. Permission was given on condition that there was no noise after 9-30 p.m. Shots were fired and other noises made at intervals up to a very late hour. Babu Jagannath Prasad, manager of the Hathwa estate, and Narbir Singh were prosecuted under section 188, Indian Penal Code and section 262 of the Municipal Act, and were acquitted on June 30, 1927.

* 110. **Lient Nawab Jamshed Ali Khan** : [*Withdrawn by the honourable member.*]

TRANSFER OF ROADS TO THE CONTROL OF THE PUBLIC WORKS DEPARTMENT.

* 111. **Lient. Nawab Jamshed Ali Khan** : Will the Government be pleased to state if any circular letter has been issued to the district boards inviting their opinion about the transfer of roads to the control of the Public Works department? If so, will the Government be pleased to state—

(a) the number of boards which have replied, and

(b) the nature of their replies?

* **The Hon'ble Nawab Muhammad Yusuf** : Yes. Forty-two boards have replied, 25 of whom accept the Government scheme in full or subject to certain modifications and 17 reject it.

ARTIFICIAL *ghi* IN MEERUT DIVISION.

*112. **Lient. Nawab Jamshed Ali Khan** : (a) Is it a fact that artificial *ghi* is largely sold in the villages in the Meerut division? (b) If so, what steps do the Government contemplate taking to prevent the adulteration of *ghi*?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Government have recently asked municipal boards to exercise the utmost care in the detection and prosecution of offences involving the adulteration of *ghi* and to submit quarterly statements showing the number of cases prosecuted and their results, as well as to report all cases in which inadequate punishment is awarded. Government are examining the position in rural areas.

Babu Bhagwati Sahai Bedar : Is the Government aware that adulteration is made by means of vegetable *ghi*?

The Hon'ble Rai Rajeshwar Bali : Possibly.

Babu Bhagwati Sahai Bedar : Has the Government placed any restrictions on vegetable *ghi*?

The Hon'ble Rai Rajeshwar Bali : No.

Babu Bhagwati Sahai Bedar : Will the Government consider the question of placing restrictions over it?

The Hon'ble Rai Rajeshwar Bali : I do not think that we can do it.

Babu Bhagwati Sahai Bedar : Is it at all possible that unadulterated *ghi* can be had?

The Hon'ble the President : That is an argument. I do not see how it arises out of the matter.

Babu Bhagwati Sahai Bedar : Is it a fact that the Shahjahanpur municipal board placed certain restrictions on vegetable *ghi* and other sorts of *ghi* and the commissioner refused to allow such an act?

The Hon'ble Rai Rajeshwar Bali : I am not aware of this case.

Babu Bhagwati Sahai Bedar : Will the Hon'ble Minister kindly inquire?

The Hon'ble Rai Rajeshwar Bali : If the honourable member asks this question by a fresh notice I will do so. It does not arise out of this question.

DISSOLUTION OF THE DISTRICT BOARD OF MUZAFFARNAGAR.

* 113. **Lieut. Nawab Jamshed Ali Khan :** Is it a fact that a report was made to the Government by the commissioner recommending the dissolution of the district board of Muzaffarnagar ? If so, will the Government be pleased to state the action they propose to take on this recommendation ?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Government have decided not to dissolve the board.

Khan Bahadur Hafiz Hidayat Husain : Will the Government dissolve the board ?

The Hon'ble Nawab Muhammad Yusuf : Government does not find sufficient material to dissolve the board.

Lieut. Nawab Jamshed Ali Khan : Will the Honourable Minister state the reasons for disagreeing with the commissioner ?

The Hon'ble Nawab Muhammad Yusuf : I have already stated that Government does not find sufficient material to dissolve the board.

TAXATION ON PROPERTY BY DISTRICT BOARDS.

* 114. **Lieut. Nawab Jamshed Ali Khan :** Will the Government be pleased to state—

(a) the number of boards that have applied for permission to impose taxation on circumstances and property ;

(b) the names of the boards to whom the powers have been granted ;

(c) the number of boards which appointed special officers for assessing the taxes ;

(d) the number of boards which got the taxes assessed by their own officers and members ?

Have any complaints reached the Government against the manner in which the taxes are assessed by the boards ? If so, from what places ? What action, if any, do the Government propose to take in connexion with these complaints ?

The Hon'ble Nawab Muhammad Yusuf : (a) 18.

(b) Meerut, Bulandshahr, Moradabad, Shahjahanpur, Cawnpore, Allahabad, Mirzapur, Lucknow and Fyzabad.

Of these Allahabad, Mirzapur and Bulandshahr dropped their proposals for the imposition of the tax after they had been sanctioned by Government.

(c) 4.

(d) Three boards got the tax assessed by their tahsil committees. No board appointed its own officers to conduct the assessment.

Yes, from Meerut. The complaints are under inquiry.

* 115. **Lieut. Nawab Jamshed Ali Khan :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

FEE OF PANDIT JAGAT NARAYAN IN THE KAKORI CASE.

*116. **Chaudhri Vijai Pal Singh :** Will the Government be pleased to state the total amount paid to Pandit Jagat Narayan for his legal fee in the Kakori dacoity case ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Rupees 1,59,625.

INSPECTION NOTES, MEERUT DISTRICT JAIL.

117. **Chaudhri Vijai Pal Singh :** Has the attention of the Government been drawn to my inspection notes of Meerut district jail, dated July 14, 1927, and July 22, 1927, and my letter to the Inspector-General of Prisons, dated July 28, 1927 ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes: the attention of Government has been drawn to the honourable member's inspection notes and letter by his question.

DIETARY TO PRISONERS, MEERUT DISTRICT JAIL.

* 118. **Chaudhri Vijai Pal Singh :** Is it a fact that the dietary supplied to the prisoners that day was one maund, seven seers and ten chataks less ? If so, what action have the Government taken against the officials concerned ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Government are aware that the honourable member found the weight of the cooked rations of 25 inmates of the jail to be 63 tolas in defect and that the honourable member calculated the defect in the whole jail on this basis at the figure given by him. The calculation made is, however, incorrect. Even if this shortage had been common to all the rations served on the day in question, the total shortage would only have been 22 seers odd. But the Superintendent reports that the full supply of grain was given to prisoners on the day in question, and as each convict's ration actually contains 12½ tolas of water, the shortage appears to have been due to evaporation. No action has therefore been taken except the issue of instructions that measures shall be taken to prevent driage of the cooked rations from occurring.

Lala Nemi Saran : Is the Government aware that the weight of the ration to be given to the prisoners after it has been cooked is given in the Jail Manual ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Lala Nemi Saran : Is the Government aware that this shortage in the cooked ration as explained in the answer is already taken into consideration when the weight of the cooked ration was fixed in the Jail Manual ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As the honourable member is well aware, and I think this is the common experience of everybody, as far as cooked chapatis are concerned if you keep them for a long time they get dry, and if you weigh them as soon as they are cooked they are heavy.

Lala Nemi Saran : Is the Government satisfied with the answer of the Superintendent of the Jail ? Is it the intention of the Government to go into the question and find out if such is possible also in other jails ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member will make any suggestion so that we may be able to know exactly about the weight of these things I shall consider it.

Babu Bhagwati Sahai Bedar : Is the Government aware that dried bread cannot be reduced by more than half a tola ?

The Hon'ble the President : The question seems to suggest that the answer is not correct.

Lala Nemi Saran : Is the Government aware that in other jails such shortage of food rations does not take place ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have made no general inquiries from other jails.

Babu Bhagwati Sahai Bedar : Will the Government be pleased to state whether, when the diets were weighed, the number of diets exceeded.

The Hon'ble the President : The honourable member had better think over and put the question again.

MEERUT DISTRICT JAIL.

* 119. **Chaudhri Vijai Pal Singh :** (a) Is it a fact that the usual jail work was suspended at 3 p.m. on July 14 ? (b) Is it also a fact that all the prisoners were locked up at 5 p.m. as the Superintendent of the said jail along with some military officers shot pigeons in the said jail ? (c) Is it a fact that shooting is prohibited on the jail premises ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) and (b) Yes: the Superintendent along with others shot pigeons after the prisoners had been locked up. Steps have to be taken from time to time to reduce the numbers of pigeons in the jail, and this is the most economical method of doing it.

(c) Shooting by the public on jail premises is prohibited.

Chaudhri Vijai Pal Singh : What is the intention of Government with regard to the shooting of pigeons during working hours in future ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Our intention is that the shooting of pigeons should not take place during working hours.

MR. PREM KISHAN KHANNA.

* 120. **Chaudhri Vijai Pal Singh :** (a) Is it a fact that Mr. Prem-kishan Khanna had chronic ulcer on his right arm and was suffering from slight hydrocele on the right side when he was admitted to the district jail of Meerut on April 8, 1927 after his conviction in the Kakori conspiracy case ? (b) Is it also a fact that he was given ban labour while he was under medical treatment for a week and on hunger-strike ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) Yes. The medical treatment consisted of the application of simple ointment to the chronic ulcer which was not inflamed and could not interfere with his capacity for work.

Pandit Bhagwat Narayan Bhargava : Do the jail rules permit of taking labour from prisoners admitted to hospital?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : During the time they are in hospital no labour is taken from them.

Pandit Bhagwat Narayan Bhargava : Am I to understand that when ointment was applied to the ulcer he was not in hospital?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think he was not in hospital.

Chaudhri Vijai Pal Singh : With reference to the question about the status of prisoners who are awarded labour according to their status, may I know whether the status and standards of life of this prisoner Prem Kishan Khanna, whose grandfather was civil surgeon and whose father is executive engineer, was such that he could not be given such labour if no racial distinction is to be made in the treatment?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I could not follow to what thing the honourable member is referring.

Babu Bhagwati Sahai Bedar : Was Prem Kishan Khanna consulted as to which form of labour he wanted? (Laughter.) Is the Government aware that there is a rule to the effect that the prisoners must be asked as to what form of labour they want? It is not a laughable question.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Will the honourable member show me the rule. I am not aware.

Babu Bhagwati Sahai Bedar : I will show it.

Chaudhri Vijai Pal Singh : Lately a question was put asking whether racial distinction is made between European and Indian prisoners and the Hon'ble the Home Member said that no racial distinction is made but that only the standard of life and status of prisoners is taken into consideration. I want to know whether the standard of life and status of this prisoner whose grandfather was civil surgeon and whose father is executive engineer was such that he could be given such labour as given in the answer without any racial distinction?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member will quote the reply to the question then I will be able to tell him all this.

* 121. **Chaudhri Vijai Pal Singh :** Is it also a fact that the same Mr. Prem Kishan Khanna was given bar-fetters for one month on April 12 for doing no work though he was under medical treatment and on hunger-strike while he was kept in a condemned cell?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The convict was given bar-fetters on April 13, 1927, as a punishment for doing no work.

* 122. **Chaudhri Vijai Pal Singh**: Is it a fact that he was punished according to Inspector General's order No. 3-4C., dated April 26, 1927, for being on hunger-strike?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

* 123. **Chaudhri Vijai Pal Singh**: Is it a fact that he was again given bar-fetters with *ban* labour on May 17, 1927, for short work?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The fetters imposed on April 13 were removed on April 22 on medical grounds and were reimposed on May 17 when the convict became fit to undergo the remainder of the punishment.

* 124. **Chaudhri Vijai Pal Singh**: Is it also a fact that he was changed from *ban* labour to mill labour on May 26, 1927, for short work on *bans* though he had bar-fetters on?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes, his labour was changed to mill labour as a punishment for short work.

* 125. **Chaudhri Vijai Pal Singh**: Is it a fact that he was admitted to hospital from May 31, 1927 to June 4, 1927 as he had an ulcer on his leg and blisters on his fingers?

* 126. Is it a fact that on his discharge from the hospital in June 4 he was given *moonj* pounding labour from June 5 to 14?

* 127. Is it a fact that he was given mill labour from June 15 to 24, 1927 when he was admitted to the hospital for catching cold and remained in hospital from June 25 to 29, 1927.

* 128. Is it a fact that he was again put to mill labour after his discharge from the hospital and worked on mills from June 30 to July 6, 1927?

* 129. Is it a fact that he has been on *ban* labour ever since July 7, 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: 125 to 129. The answer to all these questions is in the affirmative.

INDIAN PRISONERS IN NAINI AND AGRA CENTRAL JAILS.

* 130. **Chaudhri Vijai Pal Singh**: What is the number of Indian prisoners who are given special treatment in regard to their status and position in life in Naini and Agra Central Jails?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the answer given to starred question No. 127, on June 21, 1927.

Starred question No. 127, and the answer given to it on June 21, 1927.

* **Khan Bahadur Hafiz Hidayat Husain**: Have the Government considered the question of reclassification of prisoners in jails according to their social status? Has the Government decision been incorporated in the new Jail Manual.

* **The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: The Government believe that prisoners in jails are not classified according to their social status in any civilized country in the world. They do not propose to attempt any such classification and have not incorporated in the new Jail Manual any provisions to that end. If in the term "classification according to social status" the honourable member means to include the grant of special diet on the ground that the ordinary jail diet is physiologically unsuitable for a prisoner having regard to the dietary to which he is accustomed, Government have included in the new Jail Manual a provision to enable a special diet to be given in such cases. A copy of the rule is laid on the table.

(Rule referred to in the answer to question No. 127 for June 21, 1927.)

JAIL MANUAL, CHAPTER XXX, DIETARY.

Rule 14.—In any case in which the Superintendent considers the prescribed diet to be physiologically unsuitable for consumption by a prisoner having regard to the dietary to which he is accustomed, he may recommend in writing that a special diet shall be given. Such special diets shall require the sanction of the Inspector-General.

IMPROVEMENT TRUST, NAINI TAL.

* 131. **Khan Bahadur Hafiz Hidayat Husain :** (a) Did Government contemplate creating an improvement trust for Naini Tal so far back as 1921 ? (b) Has the idea been given up ? (c) If so, why ?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes. (b) and (c) Yes, owing to financial considerations.

MR. VICK.

* 132. **Khan Bahadur Hafiz Hidayat Husain :** (a) How old is Mr. Vick, Agricultural Engineer, United Provinces ? (b) When does he complete his 55 years ?

The Hon'ble Thakur Rajendra Singh : (a) Fifty-four years.

(b) On March 19, 1928.

* 133. **Khan Bahadur Hafiz Hidayat Husain :** (a) Has Mr. Vick applied for the extension of his services ? (b) If so, on what grounds is the application made ? (c) How have the Government disposed of the application ?

The Hon'ble Thakur Rajendra Singh : (a) No.

(b) and (c) Do not arise.

VALUE OF POWER-BORING PLANT, PIPES AND ENGINES.

* 134. **Khan Bahadur Hafiz Hidayat Husain :** (i) What is the value of power-boring plants, pipes and engines imported from America and Australia by the Agricultural Engineer to Government, United Provinces, and now lying about the stores and workyards in Cawnpore ?

(ii) When were they imported ?

(iii) How many of the cases are yet lying unpacked ?

(iv) How much of Government money has been locked on this account ?

(v) Is there any prospect of these articles being utilized ? If so, by what time ?

The Hon'ble Thakur Rajendra Singh : (i) The cost of power-boring plants imported from Australia was Rs. 33,065. They were purchased for experimental purposes and an expert was obtained from Australia to work them. They were not successful owing to local conditions. With the exception of the carriages the parts have been used for other forms of boring plant. The total cost of turbine, pumps, engines and pipes imported from America was Rs. 1,53,779.

(ii) They were imported between 1915 and 1919.

(iii) The cases were unpacked, the contents checked and repacked at the time of receipt.

(iv) The total cost is given above.

(v) The pumping plant and engines purchased from America have not proved suitable for conditions in the province. Pumps valued at approximately Rs. 32,000 have been used. The machinery will be taken down and the pumps utilized, but there is little prospect of the remaining parts being used.

* 135. **Khan Bahadur Hafiz Hidayat Husain:** (i) What is the value of the articles such as engines, pumps and pipes purchased from Messrs. Jessops and Company, Howards and Lloyd, Limited, Calcutta, and Greaves, Cotton and Company, Bombay, by the Agricultural Engineer, Cawnpore, during the last three years?

(ii) Is it a fact that only two makes of engines and pipes, i.e., Tangyes and Ruston, are purchased? Could not these purchases be made through the United Provinces Stores Purchase department or India Office, London?

(iii) Why were these purchases made by the Agricultural Engineer direct?

The Hon'ble Thakur Rajendra Singh: (i) The value of articles such as engines, pumps and pipes purchased in the last three years is as follows:—

	Rs.
(a) Messrs. Jessops—engines and pumps	67,449
(b) Messrs. Jessops—pipes	27,376
(c) Messrs. Stewart and Lloyd—pipes	1,78,016
(d) Messrs. Greaves, Cotton & Co.—engines and pumps ..	1,55,450

(ii) Zamindars are at liberty to select the type of engine they wish to instal. The types selected at the present time are mainly Tangye or Ruston engines. There is no restriction on the choice.

(iii) While the price of engineering material was fluctuating it was considered to the advantage of zamindars to make direct purchases as required. The matter has been recently investigated and orders have been issued for the purchase of all engineering material through the Stores Purchase department.

GROUND-TAX ON PETITION-WRITERS.

* 136. **Khan Bahadur Hafiz Hidayat Husain:** (i) What is the amount of ground-tax levied on petition-writers of the collectorates and tahsils since April, 1923?

(ii) Are mukhtars and revenue agents working in criminal and revenue departments required to pay the same amount?

(iii) Are Government aware that the work of petition-writers has considerably declined since the passing of the Agra Tenancy Act, 1926.

(iv) Have Government considered the desirability of reducing the tax levied on petition-writers?

The Hon'ble Sir Sam O'Donnell : (i) and (ii) The honourable member is referred to the answer given to Babu Bhagwati Sahai Bedar's starred question No. 49, on January 20, 1926.

(iii) Government have no information.

(iv) No.

Copy of starred question No. 49 and its answer given on January 20, 1926.

QUESTION.

Is it also a fact that each of them (petition-writers in the Shahjahanpur court compound) has to pay Rs. 20 annually? Is it a fact that pleaders, mukhtars and revenue agents have to pay at the time of their annual renewal of the authority to practise Rs. 20?

ANSWER.

(a) Yes.

(b) No. The honourable member will find the scale of fees for pleaders, mukhtars and revenue agents in the second schedule of the Legal Practitioners Act, 1879.

Babu Bhagwati Sahai Bedar : Under what law is this fee charged from the petition-writers?

The Hon'ble Sir Sam O'Donnell : The justification for the charge is that they are occupying land which is in the ownership of Government.

Babu Bhagwati Sahai Bedar : Are they provided with any shed to work in during summer and winter?

The Hon'ble Sir Sam O'Donnell : Well, if they do not wish to go to the compound to carry on the profession of a petition-writer, they need not do so.

Babu Bhagwati Sahai Bedar : Can they carry on their profession outside the compound without any restriction?

The Hon'ble Sir Sam O'Donnell : Yes.

Thakur Shiva Narayan Singh : Are any fees levied from the petition-writers who carry on the work in their homes?

The Hon'ble Sir Sam O'Donnell : No fees are levied from people who write petitions in their own homes.

Babu Bhagwati Sahai Bedar : Are the fees charged from revenue agents and others the same as is charged from petition-writers?

The Hon'ble Sir Sam O'Donnell : No; I think the honourable member will find that information if he will turn to the second schedule of the Legal Practitioners Act.

Pandit Jhanni Lal Pande : Will a petition written outside the compound of the court be accepted in court?

The Hon'ble Sir Sam O'Donnell : Yes, certainly.

NOTICE AGAINST MASHARAQ KHAN OF FARIDPUR.

*13. **Khan Bahadur Hafiz Hidayat Husain :** Was a notice under section 144, Criminal Procedure Code, issued against Masharaq Khan of Faridpur in the Fatehpur district during the last *Bakr-Id* festival? If so, on what grounds?

The Hon'ble Sir Sam O'Donnell : Yes. The grounds are stated in the order, a copy of which is laid on the table.

(See Appendix I, page 356.)

SYSTEM OF COMPARTMENTAL EXAMINATIONS.

*138. **Khan Bahadur Hafiz Hidayat Husain :** In how many teaching universities of these provinces does the system of compartmental examination exist?

Do the figures given in the last report of the Director of Public Instruction regarding these university examinations refer to the first publication of the result, or do they also include subsequent passes in compartmental examinations?

The Hon'ble Rai Rajeshwar Bali : Allahabad, Lucknow and Benares. They include also subsequent passes.

PASSES IN B.A. AND B. SC. EXAMINATIONS.

*139. **Khan Bahadur Hafiz Hidayat Husain :** What is the number of Moslems, Hindus and Christians passes in the B.A. and B.Sc. examinations of the four teaching universities of these provinces during the last three years ?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix J, page 357.)

PAYMENTS TO THE HEIRS OF GOVERNMENT SERVANTS.

*140. **Khan Bahadur Hafiz Hidayat Husain :** (i) Will the Government be pleased to place a statement on the table showing the amount both "recurring" and "non-recurring" recommended by the heads of departments for payment to the heirs of Government servants dying in harness during the last three years ?

(ii) How much money was actually allotted to the heirs by the committee ?

(iii) Is the inadequate allotment due to want of funds ?

(iv) If so, why is no representation made to the Government of India for allotment of extra funds ?

The Hon'ble Sir Sam O'Donnell : (i) and (ii) A statement is laid on the table.

(iii) and (iv) The allotment is restricted under the orders of the Secretary of State to Rs. 20,000 a year with power to utilize unspent balances up to Rs. 5,000.

The Auditor-General has recently informed this Government that it has power to make rules about this fund, but that until such rules are made the orders of the Secretary of State are binding. It is understood that this Government spends more on the compassionate fund than any other provincial Government, and it is doubtful whether an increase of the annual allotment would be justified.

(See Appendix K, page 358.)

ADULT EDUCATION.

*141. **Khan Bahadur Hafiz Hidayat Husain :** What have the Government done since the passing of my resolution on adult education by the Council on December 18, 1925, to promote adult education in these provinces ?

The Hon'ble Rai Rajeshwar Bali : A statement is placed on the honourable member's table.

(See Appendix L, page 358.)

ORGANIZATION OF SERVICES ON TIME-SCALE BASIS.

*142. **Khan Bahadur Hafiz Hidayat Husain :** Have the Government received any memorial from the supervisor qanungos of the province praying, *inter alia*, for the organization of their services on time-scale basis, recruitment of a few naib-tahsildars and sub-registrars and in Court of Wards services from them ?

What have the Government done in the matter ?

The Hon'ble Sir Sam O'Donnell : Yes; Government are considering the matter.

KALYANPUR SETTLEMENT.

*143. **Khan Bahadur Hafiz Hidayat Husain :** Are there any cases in which inmates of the Kalyanpur settlement and similar institutions can be permitted to remove themselves from residence in these settlements either permanently or temporarily? If so, what are those cases or conditions under which permission can be given?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. The honourable member is referred to pages 8 and 30 to 35 of the Criminal Tribes Manual, 1926 edition, volume 1, a copy of which will be found in the Council library.

BRIDGE OVER THE GANGES AT CAWNPORE.

*144. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to state by what time the bridge over the Ganges at Cawnpore now used by the Bombay, Baroda and Central India Railway will be thrown open exclusively for the use of the public?

The Hon'ble Nawab Muhammad Yusuf : Government hope that the bridge will be open to highway traffic in April, 1928.

ALLOTMENT FOR PHYSICAL CULTURE.

*145. **Khan Bahadur Hafiz Hidayat Husain :** Has the allotment for physical culture been disposed of?

Will the allotment be made through the collectors of the districts, or have the applications been called by the Government direct? If the former, will the Government be pleased to state the amount allotted to the several districts?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Allotments are generally made through collectors, but applications received directly are also considered.

(c) No allotment has yet been made this year.

Khan Bahadur Hafiz Hidayat Husain : Do the Government propose to make any allotment this year?

The Hon'ble Rai Rajeshwar Bali : Yes.

EDUCATIONAL ALLOTMENTS.

*146. **Khan Bahadur Hafiz Hidayat Husain :** (a) When does the present contract with the district boards regarding the educational allotments expire?

(b) On what basis is the renewal of the contract required to be made?

The Hon'ble Rai Rajeshwar Bali : (a) Presumably the honourable member refers to the educational three years' contract with district boards which expired on March 31, 1927.

(b) A copy of the relevant portions of G. O. No. 546/XV—1099-1927, dated June 20, 1927, in which the principles of the new contract are explained, is laid on the table of the honourable member.

(See Appendix M, page 359.)

FAMILY QUARTERS FOR PATWARIS.

*147. **Chaudhri Dharamvir Singh**: (a) What action does the Government propose to take with regard to supplying family quarters to such patwaris as are transferred to or stationed in places where they have no homes?

(b) Is the Government prepared to issue instructions to the district authorities not to transfer a patwari to a locality where either he has no home or a family quarter has not been supplied to him?

The Hon'ble Sir Sam O'Donnell: (a) The honourable member is referred to the reply given to starred question No. 10 on July 27, 1926.

(b) No; this would frustrate the objects with which section 23 of the Land Revenue Act as amended has been enacted.

Copy of starred question No. 10 asked by PANDIT NANAK CHAND, and the answer given on July 27, 1926.

QUESTION.

(a) Is the Government aware that the district and sub-divisional officers very frequently insist upon the patwaris to build their own houses within their circles for their residence?

(b) Do Government, in view of the recent policy regarding transfers of patwaris, intend to issue clear instructions to district officers not to insist upon the patwaris to construct their own houses for residence and that they may be allowed to reside in rented or borrowed houses?

(c) Do Government intend to compensate patwaris on their transfer for having to abandon the houses built at their own cost for their residence within their circles? If so, to what extent?

(d) What arrangements do Government intend to make to provide houses for the residence of patwaris in case of their transfer to their new circles, where houses are not available to be rented or borrowed?

ANSWER.

(a) No.

(b) No instructions are required, as district officers do not at present insist on patwaris building houses for themselves, but only on residence within their circles.

(c) No; patwaris can dispose of houses built by themselves.

(d) None; patwaris make their own arrangements.

Chaudhri Dharamvir Singh: In answer to question No. 10 (d) given on July 27, 1926, the Government replied "Patwaris make their own arrangements." What does Government mean by the sentence "Patwaris make their own arrangements?" Does the Government mean that the patwaris are satisfied with the arrangements made?

The Hon'ble Sir Sam O'Donnell: I do not know how far they are satisfied. I have no reason to think that there is any real reason to be dissatisfied.

Chaudhri Dharamvir Singh: Can the Government say what arrangements the patwaris make?

The Hon'ble Sir Sam O'Donnell: I suppose they make some arrangement with the local zamindar about the house.

Chaudhri Dharamvir Singh: Do the local zamindars supply houses to the patwaris free of any charge or expectation of something? Or do they take any rents?

The Hon'ble Sir Sam O'Donnell : I cannot say whether the local zamindars charge any rent or not. If they do, it will be a small amount probably. I do not think as a matter of fact they charge anything. They will be only too glad to supply the house free.

Chaudhri Dharamvir Singh : Is the Government aware that when these people are transferred to other places they find lot of difficulty in getting houses and they spend a great deal of money in building houses ?

The Hon'ble Sir Sam O'Donnell : No. I am not aware of any of these things.

SALARY OF GIRDAWAR QANUNGOS.

*148. **Chaudhri Dharamvir Singh :** Will the Government be pleased to supply the following information:—

(a) What is the average monthly salary of a girdawar qanungo in these provinces ?

(b) Is he required to keep a horse for the efficient discharge of his duties ?

(c) How much is he expected by the Government to spend monthly on his horse ?

(d) Is any horse allowance paid to him ? If not, why not ?

(e) What amounts of horse allowance, if any, are paid to officers of equal grade and qualifications in other departments of United Provinces Government ?

The Hon'ble Sir Sam O'Donnell : (a) The honourable member is referred to the answer given to starred question No. 117 on December 23, 1925.

(b), (c) and (d) The honourable member is referred to the reply given to unstarred question No. 54 on September 5, 1924.

(e) There are no officers of other departments who can be said to be of equal grade and qualifications, doing work similar to that of a supervisor qanungo and receive a horse allowance.

Copy of starred question No. 117 asked by KHAN BAHADUR MAULVI FASIH-UD-DIN, and the answer given on December 23, 1925.

QUESTION.

* What are the grades of the pay of qanungos ?

ANSWER.

A statement giving the grades of pay is laid on the table:—

					Rs.
Supervisor qanungos, 1st grade	..	..	..	..	80
" " 2nd "	..	..	..	..	70
" " 3rd "	..	..	..	..	60
Registrar qanungos	..	..	..	..	60
Assistant registrar qanungos, 1st grade	..	..	..	..	40
" " " 2nd "	..	..	..	..	35

Copy of nstarred question No. 54 asked by LALA NEMI SARAN, and the answer given on September 5, 1924.

QUESTION.

(a) Is the Government aware that the supervisor qanungos are obliged to keep a horse for the efficient discharge of their official duty ?

(b) Is it a fact that they are not allowed any horse allowance ?

ANSWER.

(a) Supervisor qanungos are not obliged to keep a horse for the discharge of their official duties, but in practice do so.

(b) Yes.

Chaudhri Dharamvir Singh : No answer has been given to part (d) of my question No. 148, viz., "Is no horse allowance paid to him? If not, why not." The reply is "No". What is the answer to "Why not"?

The Hon'ble Sir Sam O'Donnell : I have already explained that we are considering the question of allowance to qanungos.

Chaudhri Dharamvir Singh : Referring to part (e) of the answer to question No. 148, may I know if the sub-inspectors of police are not of the same grade and qualifications as the qanungos, and if they are not, will the Government indicate the points of difference?

The Hon'ble Sir Sam O'Donnell : No. I do not think that the sub-inspectors of police are of the same grade and qualifications as the qanungos. The maximum pay of a sub-inspector is higher than that of a qanungo.

Chaudhri Dharamvir Singh : Why do not the Government give a horse allowance to qanungos when they are of equal grade with the sub-inspectors?

The Hon'ble Sir Sam O'Donnell : As I have already explained, we are considering the matter.

Babu Bhagwati Sahai Bedar : Do the duties of the qanungos involve constant touring?

The Hon'ble Sir Sam O'Donnell : Yes, they do, but as far as my experience goes, they can perform their duty quite well on foot. I know of qanungos who could do much more touring on foot than was possible on a horse-back.

TEACHERS OF THE PATWARI TRAINING SCHOOLS.

* 149. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state why the temporary posts of teachers in schools for the training of patwaris have not been made permanent? Are the persons occupying the temporary posts engaged in a work of a permanent nature?

The Hon'ble Sir Sam O'Donnell : There are no temporary posts of teachers in patwari schools. Appointments are first made to the last grade of assistant teachers in officiating vacancies and confirmations are, as in other departments, made on occurrence of permanent vacancies in the staff actually employed according to requirements.

DAILY ALLOWANCE TO PATWARIS.

* 150. **Chaudhri Dharamvir Singh :** (a) What daily allowance, if any, is given to a patwari in the United Provinces when he is required to attend the headquarters of this district on Government business?

If no allowance is given, why is it not given?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the Hon'ble the Finance Member's speech to the resolution on halting allowance for patwaris made on January 19, 1926.

Chaudhri Dharamvir Singh : Referring to the speech of the Hon'ble the Finance Member, may I . . .

The Hon'ble the President : (It being 12 noon) I am afraid the question time is unfortunately over.

(Question time having expired, the remaining starred questions were not called.)

SIGNATURES IN TREASURIES, COURTS AND OTHER GOVERNMENT OFFICES.

***151. Chaudhri Dharamvir Singh :** (a) Will the Government be pleased to state if it is a fact that in courts, treasuries and all Government offices, and on all documents to be signed in a regular way a person writing his signature in English may write his name only? Is it a fact that the same person writing his signature in Hindi or Urdu, or any other person making signature in vernacular, is required to write, along with his name, the words "*baqalam khud*" without which the signature is not considered complete?

(b) If the reply to (a) be in the affirmative, what are the grounds for making such a distinction?

(c) Will the Government have any objection to issuing orders that no such distinction be made?

The Hon'ble Sir Sam O'Donnell : (a) The answer to the first part of the question is in the affirmative, and to the second part in the negative.

(b) and (c) Do not arise.

SLAUGHTER OF BOVINE CATTLE.

*** 152. Pandit Shri Sadayatan Pande :** Will the Government kindly prepare and furnish a statement showing the number and age of each of different kinds of bovine cattle slaughtered during each of the last three years in the jurisdiction of municipalities, district boards, cantonments, and, if possible, in rural areas for local consumption?

The Hon'ble Nawab Muhammad Yusuf : The honourable member is referred to the answer to starred Council question No. 123 of October 29, 1927.

Starred question No. 123 of October 29, 1927.

* Will the Government be pleased to state the total number of cows and bulls slaughtered in each of the years 1920—1926 in the United Provinces? How many were, in each year, slaughtered for the use of the Army, how many for sacrifice at Id festival, and how many for the daily use of the beef-eating public?

Answer to starred question No. 123 of October 29, 1927.

* The honourable member is referred to the answers to starred Council questions nos. 4 and 5 of December 14, 1925. Since complete and accurate statistics are not available, the collection of the further information asked for will involve an expenditure of labour and time which will not be commensurate with the advantage gained.

Starred Council questions Nos. 4 and 5 of December 14, 1925.

*4. Are any statistics available regarding the number and quality of animals slaughtered during the last two years in these provinces? If so, will the Government be pleased to lay them on the table?

*5. What is the number and quality of cattle slaughtered for local consumption in these provinces during the last two years?

How many cattle were slaughtered for meat trade only? What is the quantity of dry meat on the average per year exported from these provinces?

Answers to Starred Council questions Nos. 4 and 5 of December 14, 1925.

*4. Complete and accurate statistics of the number and quality of animals slaughtered are not available. According to the reports received by the Government, the total number of animals slaughtered during the years 1922-23 and 1923-24 was 22,056,193.

*5. The number of cattle reported as slaughtered for total consumption during the years 1922-23 and 1923-24 was 783,488; but this figure is neither complete nor accurate, since in some places records have not been kept or have been kept incorrectly.

During the same period the number of cattle reported as slaughtered for meat trade was 183,203. Figures of the quantity of dry meat exported are available only from certain places, and even from these in most cases only for the year 1924. The total of the amounts actually reported was 35,555 maunds.

*153 to 155. **Pandit Shri Sadayatan Pande:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RAI BAHADUR SHANKAR DAYAL'S BILL TO AMEND THE MUNICIPALITIES ACT.

*156. **Pandit Shri Sadayatan Pande:** Will the Government be pleased to state—

(a) the names of the municipalities that recommended to the Government for adoption of the late Rai Bahadur Shankar Dayal's Bill to amend the Municipalities Act, 1916, with the object of empowering municipalities to restrict slaughter of useful cattle and acquire pasture land;

(b) whether, in view of their recommendation and the necessity of the question, the Government intends to grant aforesaid powers to municipal boards?

The Hon'ble Nawab Muhammad Yusuf: (a) The municipal boards of Ghazipur, Benares, Fyzabad, Allahabad, Naini Tal, and Bulandshahr recommended the adoption of the Bill at the instance of the Cow Preservation League, Calcutta.

(b) The answer is in the negative.

PROTECTION OF SACRED BULLS.

* 157. **Pandit Shri Sadayatan Pande:** (a) Is the Government aware that bulls dedicated on the occasion of funeral ceremonies are mercilessly treated and employed for scavenging purposes?

(b) Will the Government be pleased to arrange for the maintenance of these bulls by municipalities, district boards and other local bodies for employment exclusively for breeding purposes?

(c) Will the Government be pleased to introduce for the protection and maintenance of these bulls a Bill on the lines of the Bengal Cattle Bill and the Bihar and Orissa Cattle Bill introduced in the Bengal Legislative Council and the Bihar and Orissa Legislative Council respectively?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) The proposal cannot be considered unless there is some guarantee that the bulls dedicated are of a suitable type for breeding purposes.

(c) The answer is in the negative.

* 158. **Pandit Shri Sadayatan Pande:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

NEW STAFF OF THE LUCKNOW UNIVERSITY.

*159. **Nawabzada Muhammad Liaqat Ali Khan:** Will the Government be pleased to state the number of the new staff recruited since the inauguration of the Lucknow University and the number and proportion of the United Provinces men in the same?

The Hon'ble Rai Rajeshwar Bali: 126 ; 82 ; 65 per cent.

* 160. **Dr. Shafa'at Ahmad Khan:** [*Transferred as No. 101 A of this date.*]

MUHAMMADAN SUB-DIVISIONAL OFFICERS IN THE MEERUT DISTRICT.

*161. **Chaudhri Dharamvir Singh:** Is it a fact that on August 1, 1927, there were five Muhammadan sub-divisional officers out of six in Meerut district and three out of four in Bulandshahr district?

The Hon'ble Sir Sam O'Donnell: Yes.

*162. **Chaudhri Dharamvir Singh:** If the answer to the foregoing question be in the affirmative, will the Government be pleased to give special reasons why all the sub-divisional officers with the exception of one in Meerut and one in Bulandshahr are Muhammadans?

The Hon'ble Sir Sam O'Donnell: The postings of sub-divisional magistrates are made by District Magistrates in the interests of the public service and are not regulated by communal considerations.

*163 to *171. **Thakur Har Prasad Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MOHAN LAL JOSHI, RANGER, KHAPDOLI RANGE, ALMORA.

*172. **Pandit Badri Dutt Pande:** Will the Government¹ to state the circumstances under which Mr. Mohan Lal Joshi Khapdoli range in the Almora district, met his death?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'i Ranger Mohan Lal Joshi was found dead in his range quar being due to a gunshot wound in the neck. The ocular was that it was a case of suicide and no other theory have been suggested. There is no direct evidence regarding reasons which led to the suicide, but it has been inferred that to the fact that strong suspicion of dishonesty on the part of had come to the notice of the Divisional Forest Officer, West and that he had for a week previously been taking evidence w to framing charges.

*173. **Pandit Badri Dutt Pande**: Was he reprimanded by the Divisional Forest Officer on the day he committed suicide?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

*174. **Pandit Badri Dutt Pande**: (a) Did he write a letter narrating the circumstances which led him to commit suicide?

(b) What has become of that letter.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) No.

(b) Does not arise.

*175. **Pandit Badri Dutt Pande**: Was any post mortem examination held?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

*176. **Pandit Badri Dutt Pande**: Did the Divisional Forest Officer visit the ranger's quarters after the deceased ranger had committed suicide?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. The Divisional Forest Officer visited the ranger's quarters on the same day as the suicide with the patwari of the patti concerned.

DOGADDA MANDI IN GARHWAL.

*177. **Pandit Badri Dutt Pande**: What is the population of Dogadda mandi in the Garhwal district?

The Hon'ble Nawab Muhammad Yusuf: One hundred and fifty-one according to the census of 1921.

*178. **Pandit Badri Dutt Pande**: Is there a proposal to convert it into a notified area?

The Hon'ble Nawab Muhammad Yusuf: No.

TRANSFER OF THE HEAD QUARTERS OF GARHWAL DISTRICT TO LANSDOWNE.

*179. **Pandit Badri Dutt Pande**: Are there any proposals that the headquarters of the Garhwal district be transferred to Lansdowne?

The Hon'ble Sir Sam O'Donnell: The answer is in the negative.

*180 to *182. **Pandit Badri Dutt Pande**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

SETTLEMENT IN ALMORA.

*183. **Pandit Badri Dutt Pande**: When is the next settlement in the Almora district going to begin?

*184. (a) Has Government appointed the personnel and formulated the terms of the settlement?

(b) If so, will it lay a copy of the said proposals on the table?

The Hon'ble Sir Sam O'Donnell: 183 and 184 Settlement in the Almora district will probably begin in 1928-29.

The personnel and the terms of settlement have not yet been settled by Government.

PRICE OF FUEL AND CHARCOAL AT NAINI TAL AND ALMORA.

*185. **Pandit Badri Dutt Pande :** (a) Is it a fact that Government are enhancing the price for fuel and charcoal at Naini Tal and Almora ? (b) Has Government received any protest from the public of these places ? (c) Will the Government be pleased to give a statement of the rates of fuel and charcoal at Naini Tal for the last ten years, and what was the distance of the forest from the town ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The papers dealing with the question have only just reached Government and they have not yet had time to consider them.

(b) No.

(c) A statement is laid on the table.

(See Appendix N, page 360.)

ABOLITION OF THE POST OF CONSERVATOR OF FORESTS, KUMAUN CIRCLE.

*186. **Pandit Badri Dutt Pande :** When is the Government going to abolish the post of the Conservator of Forests, Kumaun circle ? Will the Government be pleased to state the number of Indians —

(1) as Conservators of Forests in the United Provinces ;

(2) as Divisional Forest Officers in Kumaun ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The Government does not intend to abolish the post of Conservator, Kumaun circle.

The number of Indians—

(1) As Conservator of Forests in the United Provinces—none.

(2) As Divisional Forest Officers in Kumaun circle—one.

PIPE LINE IN NAINI TAL JAIL.

*187. **Pandit Badri Dutt Pande :** Is the Naini Tal jail supplied with its own pipe line ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

BOARDING HOUSE OF GOVERNMENT HIGH SCHOOL, NAINI TAL.

*188. **Pandit Badri Dutt Pande :** Is the Government aware that the present boarding house of the Government High School, Naini Tal, is not situated near the school premises ? Will the Government consider the advisability of arranging to exchange the present building with the municipal quarters close to the Government school ?

The Hon'ble Rai Rajeshwar Bali : No. The matter is being examined.

OLD POLICE LINES OF NAINI TAL.

*189. **Pandit Badri Dutt Pande :** Of what use are the old police lines at Naini Tal ? Why was old material not used for the new lines ? Is there a proposal to demolish the lines, auction them and convert the ground into a playground for the Government High School ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The old police lines at Naini Tal are of no use. The old material was not used for the new lines because stone was available on the new site and no money would have been saved by taking the old material so far. A proposal to demolish the lines and convert the site into a playground for the Government High School has been made and is under consideration.

FOREIGN LIQUOR LICENCES AT NAINI TAL.

* 190. **Pandit Badri Dutt Pande :** What is the number of foreign liquor licences at Naini Tal (hotel, as well as shop licences)? Is it a fact that the club at Naini Tal (Naini Tal Club, Ltd.) is exempt from liquor licence fee? Will the Government be pleased to place on the table a copy of the conditions of the club licence? Is it a fact that the club supplies its members wines and spirits out of its premises? Will the Government be pleased to see the advisability of charging the licence fee to the club as well? Will the Government be pleased to give a statement of the sales of wines, spirits and liquors made by the club in the year 1926?

The Hon'ble Thakur Rajendra Singh : A statement showing the number of foreign liquor licences at Naini Tal is placed on the honourable member's table.

As the law stands at present all clubs are exempt from excise control. The question whether they should be made amenable to Excise rules is at present under the consideration of Government. The other information asked for about the Naini Tal Club is, therefore, not available.

(See Appendix O, page 360.)

PANDIT KESHAB DUTT TIWARI OF ALMORA.

*191. **Pandit Badri Dutt Pande :** (a) Is Pandit Keshab Dutt Tiwari of Almora under police surveillance?

(b) If so, how long has he been under police surveillance?

(c) What was the nature of the offence for which he was convicted and when was he convicted, and what was his age then?

(d) Since when has he been owning a shop?

(e) Did he apply to the Superintendent of Police through Deputy Commissioner that as he has settled in life and owns a shop and a house and is caterer to the Indian Club and bears good conduct, he should no longer be under police surveillance?

(f) Was his application certified by respectable gentlemen of the locality? If so, by whom?

(h) What were the orders passed by the Superintendent of Police on his petition?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The Government must decline to give any information regarding the confidential activities of the police.

*192. **Pandit Badri Dutt Pande :** *[Postponed at the request of Government till the first day of the next meeting of the Council.]*

NAIK REFORM COMMITTEE'S REPORT.

*193. **Pandit Badri Dutt Pande** : In reference to paragraph 5 (b) of the report of the Naik Reform Committee will the Government be pleased to state what are the society or societies that are receiving grants for propaganda work among the Naiks?

*194. Does Government know that the Prayag Sewa Samiti is carrying out excellent propaganda work, both educative and moral, among the Naiks? If so, is Government prepared to support this Samiti financially in accordance with the recommendation of the Naik Reform Committee's report?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A reply will be given at a later date.

NAINI TAL-BHOWALI BRIDLE PATH ROAD.

* 195. **Pandit Badri Dutt Pande** : (a) Is there a proposal to convert the present bridle path into a motor road between Naini Tal and Bhowali?

(b) If so, what is the amount of the estimated cost?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) Does not arise.

LABOUR BUREAU.

* 196. **Pandit Badri Dutt Pande** : Has the United Provinces Government got a labour bureau?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

SCARCITY OF DRINKING WATER IN KOTDWAR MANDI IN GARHWAL.

*197. **Pandit Badri Dutt Pande** : (a) Does Government know that there is great scarcity of drinking water in Kotdwar *mandi* in Garhwal?

(b) Is there a scheme for providing piped water supply to this *mandi*?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) A scheme for providing a piped water supply to the *mandi* is under the consideration of the local authorities.

MONOPOLY TO ALLIED INDIAN WOOD CRAFTS COMPANY,
CLUTTERBUCKGANJ, BAREILLY.

*198. **Pandit Badri Dutt Pande** : Has any monopoly at liberal terms been given to the Allied Indian Wood Crafts Company, Clutterbuckganj, Bareilly, for extracting *chir* sleepers in the East Almora Forest division? If so, what are the terms of concessions granted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The ordinary systems of annual sales of standing trees by public auction and of departmental extraction have both been tried and have failed as methods of marketing *chir* timber available for export from Kumaun. Government therefore decided to try the only remaining method, namely, a long-term contract on a profit sharing basis. Advertisements were inserted in the newspapers calling for offers for such a contract. The best offer was made by the Allied Indian Woodcrafts Company, Limited. This company has since been amalgamated with the Indian Bobbin Company, and Government have decided to give the

contract to the amalgamated company. The contract will be on a 50—50 profit sharing basis, and is therefore on the same terms as the contract given several years ago to Messrs. Garg Brothers for the extraction of *chir* from the Chakrata forests. There is therefore neither monopoly nor concession.

DISCOVERY OF CERTAIN HERBS BY DR. MILLER OF THE LEPROSY ASYLUM, ALMORA.

*199. **Pandit Badri Dutt Pande:** Do Government know that Dr. Miller of the Leprosy Asylum, Almora, has discovered certain herbs, which have been highly commended by the Tropical School of Medicine?

The Hon'ble Rai Rajeshwar Bali: The herbs are being tested in the leprosy research branch of the School of Tropical Medicine, Calcutta.

*200. **Pandit Badri Dutt Pande:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

GUN LICENCES AND PERSONS KILLED BY TIGERS IN PATTI CHAUGAR IN NAINI TAL.

*201. **Pandit Badri Dutt Pande:** (a) What is the population of Patti Chaugar in Naini Tal district?

(b) How many persons have been killed by tigers in this part of the country during the last three years?

(c) What is the number of gun licences at present in force in this Patti?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) 3,758.

(b) 9.

(c) 29.

CONVERSION OF KING GEORGE HIGH SCHOOL, LANSDOWNE, INTO AN INTERMEDIATE COLLEGE.

*202. **Pandit Badri Dutt Pande:** Is there a proposal to convert the present King George High School, Lansdowne, into an intermediate college?

The Hon'ble Rai Rajeshwar Bali: No.

HIGH SCHOOL AT PITHORAGARH IN ALMORA.

*203. **Pandit Badri Dutt Pande:** How far has the scheme of having a high school at Pithoragarh in the Almora district materialized?

The Hon'ble Rai Rajeshwar Bali: The matter is under correspondence between the Director of Public Instruction and the Deputy Commissioner, Almora.

WATER SUPPLY FROM SHIAHI DEBI TO ALMORA.

*204. **Pandit Badri Dutt Pande:** What is the amount of estimate of the proposed water supply from Shiah Debi to Almora? Has it been sanctioned? When is the work likely to begin?

The Hon'ble Rai Rajeshwar Bali: The preliminary proposals estimated to cost Rs. 1,38,888 have been approved. The detailed scheme is in hand. It is not yet possible to say when the work will be begun.

SECURITIES FROM SHOPKEEPERS ON PILGRIM ROAD TO BADRI NATH.

*205. **Pandit Badri Dutt Pande**: Were securities ranging from Rs. 500 to Rs. 2,000 taken from the shopkeepers on the pilgrim road to Badri Nath on pain that they have to deposit at least 50 maunds of cereals every moment in their shop?

The Hon'ble Rai Rajeshwar Bali: No.

*206. **Pandit Badri Dutt Pande**: Do Government know that this rule has created hardships?

*207. Will the Government be pleased to state under which law such action has been taken?

The Hon'ble Rai Rajeshwar Bali: 206 and 207. Do not arise.

GRAZING RIGHT IN MATENA BLOCK NEAR DINAPANI, ALMORA.

*208. **Pandit Badri Dutt Pande**: (a) Is Matena block near Dinapani in the Almora district a reserve forest or one falling within forests of class I or II? (b) Is it open to grazing or not? (c) If not, has Government any intention of opening it for grazing to the villages of Balt, Bintola, etc., which have got a right in it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Matena block is a reserved forest of class II.

(b) Out of the total area of 217 acres 91 are closed to grazing and the rest is open to grazing.

(c) The closed area is plantation which must remain closed for some years more or it will be destroyed. The officer on special duty in connexion with the establishment of communal forests is endeavouring to arrange for this plantation to be a communal forest. The community would necessarily have to keep the area closed until cattle can safely be admitted. The Government have no intention of opening it prematurely.

KALIMAT AND SITOLI RESERVE FORESTS NEAR ALMORA.

*209. **Pandit Badri Dutt Pande**: Have villages adjoining the Kalimat and Sitoli reserve forests near Almora their rights recorded in them? If not, why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. No rights were admitted at settlement in the Kalimat and Sitoli reserves.

POLICE OUTPOST, KHAIRNA, NAINI TAL.

*210. **Pandit Badri Dutt Pande**: (i) Is there a police outpost at Khairna in the Naini Tal district?

(ii) When and why was this outpost created?

(iii) What are its present functions?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (i) Yes.

(ii) In 1893 to deal with Badri Nath pilgrim traffic which used to pass through Khairna until the railway line to Ramnagar was built.

(iii) To deal with motor traffic to and from Ranikhet and with such cases as occur on the Ranikhet road.

*211 and *212 Pandit Badri Dutt Pande : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PENSION RULES.

*213. Pandit Badri Dutt Pande : (a) Has the Secretary of State for India written that provincial governments can make their own pension rules for subordinates ?

(b) In view of this has Government made any revised pension rules ?

The Hon'ble Sir Sam O'Donnell : (a) Yes. The delegation rules, which have been made by the Secretary of State in Council under section 96B of the Government of India Act, authorize the provincial Governments to make their own rules governing the pension of provincial and subordinate services and of special posts under their control.

(b) This Government propose to await the revised pension rules which, they understand, the Government of India are preparing for officers under their own control, and to make such alterations in these rules as local conditions may render advisable.

CHAIRMAN, PUBLIC WORKS SUB-COMMITTEE OF NAINI TAL MUNICIPALITY.

*214. Pandit Badri Dutt Pande : Is the Executive Engineer, Public Works department, chairman of the Public Works sub-committee of the Naini Tal municipal board ?

The Hon'ble Nawab Muhammad Yusuf : Yes.

*215. Pandit Badri Dutt Pande : Is the third Monday of the month fixed for meetings of the said sub-committee ? Is it a fact that meetings are seldom held on that day owing to the absence of the executive engineer in the division ?

The Hon'ble Nawab Muhammad Yusuf : (a) No. The third Monday of the month was fixed only by the last Public works committee.

(b) Does not arise.

*216. Pandit Badri Dutt Pande : Is it a fact that owing to the absence of the executive engineer sometimes meetings are not held at all in the month ?

The Hon'ble Nawab Muhammad Yusuf : Yes.

*217. Pandit Badri Dutt Pande : Will the Government see the desirability of nominating the district engineer in lieu of the executive engineer to the Naini Tal municipal board ?

The Hon'ble Nawab Muhammad Yusuf : No. The executive engineer is an officer of greater experience.

NOMINATED SEATS IN THE CITY BOARD, NAINI TAL.

*218. Pandit Badri Dutt Pande : How many nominated seats are there in the city board, Naini Tal ?

The Hon'ble Nawab Muhammad Yusuf : Four.

EXTENSION OF MUNICIPAL LIMIT AT NAINI TAL AND ARRANGEMENT OF WATER AND LIGHT.

***219. Pandit Badri Dutt Pande :** (a) Has the municipal board of Naini Tal extended its limits to a distance of six miles to Baldes-khan? (b) If so, what arrangements have the municipality made to provide light and water to the passengers on that road?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes, the municipal limit has been extended along the road to the 6th milestone, opposite the gate of the road leading to Patwa Dangar. It does not include the forests and other lands on either side of the road. The extension was made to avoid evasion of toll as passengers in motor vehicles used to alight at the old limit and come up by the short cut.

(b) No light or water is required on this road as motor vehicles come direct to Naini Tal and during the day only.

HOUSE TAX AT NAINI TAL.

***220. Pandit Badri Dutt Pande :** (a) What is the rate of the house tax charged by the Naini Tal board? When was it sanctioned by the Government, and for what period was it sanctioned? Was the period of sanction extended? If so, when and under what notification? (b) Will the Government be pleased to give a statement of percentage of tax at Naini Tal for water, conservancy, and house and land tax?

The Hon'ble Nawab Muhammad Yusuf : (a) The house tax was sanctioned on June 20, 1922, at the rate of 10 per cent. on the annual value for no definite period.

(b) The incidence of taxation was 10.47 per cent. in 1926-27, of which house tax represents 39 per cent. approximately, water tax 27 per cent. and scavenging tax 34 per cent.

SEWERAGE SCHEME, NAINI TAL.

***221. Pandit Badri Dutt Pande :** (a) Is there any sewerage scheme at Naini Tal? (b) When and what amount is the Government giving to the board for this purpose?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Subject to the vote of the Council, Government propose to give a grant of Rs. 1,00,000 in 1928-29 and of Rs. 1,17,000 in 1929-30.

CASES OF ILLICIT DISTILLATION IN DEHRA DUN.

***222. Thakur Manjit Singh Rathor :** Will the Government be pleased to furnish the following information :—

(a) The number of cases of illicit distillation within Dehra Dun municipal limits in 1924, 1925, 1926 and 1927.

(b) Persons engaged in illegal brewing of liquor, with their names and description.

(c) Name and description of the owner of the premises where the brewing was found to be taking place.

(d) What punishment was meted out to the culprits?

The Hon'ble Thakur Rajendra Singh : A statement is laid on the table.

(See Appendix P, page 361.)

MEMBERS OF LICENSING BOARD AND EXCISE ADVISORY
COMMITTEE, DEHRA DUN.

***223. Thakur Manjit Singh Rathor :** What are the names of the members of—

(a) (1) Dehra Dun Licensing Board and (2) Dehra Excise Advisory Committee.

(b) How many meetings of these bodies have been held since the constitution of the present bodies ?

The Hon'ble Thakur Rajendra Singh : A statement is laid on the table.

(See Appendix Q, page 362.)

CHAKRATA SUB-DIVISION, DEHRA DUN.

***224. Thakur Manjit Singh Rathor :** (a) What is the population of Chakrata sub-division of district Dehra Dun ?

(b) What is the number of (1) Vernacular and (2) English schools, Chakrata tahsil ? To what standard do they provide education ?

(c) What is the total expenditure on education incurred by the district board, Dehra Dun or the Government on education in the tahsil of Chakrata ?

The Hon'ble Rai Rajeshwar Bali : (a) 55,623.

(b) (1) One vernacular middle school and twelve primary schools.
(2) None.

(c) The board spent Rs. 9,104 in 1926-27 on vernacular middle and primary schools. This amount includes part of the grant given by Government to the district board for vernacular education in the whole district.

INDIGENOUS SYSTEMS OF MEDICINE.

***225. Thakur Manjit Singh Rathor :** Will the Government be pleased to inform this Council as to the steps which the Board of Ayurvedic and Unani medicine is taking to encourage medical relief according to these indigenous systems of medicine ?

The Hon'ble Rai Rajeshwar Bali : The board gives grants to Ayurvedic and Unani institutions which contribute indigenous medicines gratis as well as to institutions teaching the Ayurvedic and Unani systems of treatment.

***226. Thakur Manjit Singh Rathor :** (a) Is it a fact that the board has decided to appoint a paid *vaidya* and *hakim* in every division of the province ?

(b) If so, what will be the qualifications of men to be appointed and the amount of their salary ?

The Hon'ble Rai Rajeshwar Bali : (a) No.

Does not arise.

*227 to *232. **Thakur Manjit Singh Rathor** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RECOGNITION AND AID TO GHANANAND MEMORIAL HIGH SCHOOL, MUSSOORIE.

*233. **Thakur Manjit Singh Rathor** : (a) Is it a fact that the conditions mentioned by the Director of Public Instruction for recognition and aid to the proposed Ghananand Memorial High School, Mussoorie, have been fulfilled?

(b) If the answer is in the affirmative, do Government intend to make the necessary provision for the school in their next budget?

(c) If the answer is in the negative, in what respects have the conditions not been fulfilled?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) Does not arise.

(c) None of the prescribed conditions has yet been fulfilled.

M. GHULAM HUSAIN, BENCH MAGISTRATE, BAHRAICH.

*234. **Khwaja Khalil Ahmad Shah** : (a) Will the Government be pleased to state whether the notification No. 2117/VI—1628, dated May 25, 1923, is enforced in Bahraich?

(b) Is the Government aware that M. Ghulam Husain Khan, honorary magistrate, is unable to read the judgement bearing his own signature?

(c) Will the Government kindly state the reason for contravening the aforesaid notification by appointing M. Ghulam Husain Khan, the Bench Magistrate, Bahraich?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) No. Government have ascertained that the gentleman in question is able to read the judgements bearing his own signatures.

(c) Does not arise.

COMPROMISES BY PARTIES IN CRIMINAL CASES OF COMMUNAL NATURE.

*235. **Khan Bahadur Hafiz Hidayat Husain** : Have Government issued any instructions officially or demi-officially to the magistrates not to ordinarily accept compromises by parties in criminal cases of a communal nature?

If so, will the Government be pleased to lay a copy of the order on the table and state the reasons leading to the issue of the order?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

ABDUL HAMID KHAN OF KHURJA, BULANDSHAHR.

*236. **Khan Bahadur Hafiz Hidayat Husain** : What are the circumstances under which Abdul Hamid Khan of Khurja, Bulandshahr district, reading in the B. A. class of the Muslim University, Aligarh, lost his life last July?

(ii) Was this student prosecuted for offences under sections 120 and 121 of the Railway Act?

Was he convicted and given the maximum punishment allowable under the sections?

(iii) Has Government's attention been drawn to the allegation that the case against the student was a false one, got up on account of a small quarrel between him and the guard of the train?

(iv) What is the nationality of the lady passengers against whom the offence is said to have been committed?

(v) Have Government instituted any inquiry into the affair to find out the part played by the guard of the train, the station master of Khurja, and the railway sub-inspector in this matter?

The Hon'ble Sir Sam O'Donnell: (i) He committed suicide.

(ii) (a) Yes.

(b) (1) Yes.

(2) No.

(iii) Yes.

(iv) Government have no information.

(v) The answer is in the negative.

Unstarred Questions.

DIFFERENCE BETWEEN RAILWAY POLICE AND DISTRICT POLICE.

1. **Lieut. Raja Kali Charan Misra:** Will the Government be pleased to state if there is any difference between railway police and district police in point of status, emoluments and privileges?

Kunwar Jagdish Prasad: There is no difference between the district and the railway police in the matter of status. Both forces receive the same pay. Railway police officers and men are entitled to free passes when travelling over the sections in which they are posted and when proceeding on leave to their houses.

CARPENTRY SCHOOLS OF BAREILLY AND ALLAHABAD.

2. **Lieut. Raja Kali Charan Misra:** Will the Government be pleased to lay upon the table an account of the Carpentry schools of Bareilly and Allahabad for 1926?

Mr. Panna Lal: An account of the two institutions appeared in the annual report of the Director of Industries for 1925-26 and will appear in the annual report for 1926-27, which is shortly to be published.

BURMA BEEF TRADE.

3. **Lieut. Raja Kali Charan Misra:** Will the Government be pleased to state the names of all the places where cattle were slaughtered for the Burma beef trade during the year 1926?

Mr. Panna Lal: Meerut, Aligarh, Muttra, Agra, Mainpuri, Pilibhit, Shahjahanpur, Bareilly, Moradabad, Etawah, Jhansi, Jalaun, Hamirpur, Banda, Gorakhpur, Basti and Lucknow districts.

REGISTRATION OF CATTLE SLAUGHTERED.

4. **Lieut. Raja Kali Charan Misra :** Will the Government be pleased to state what steps have been taken for an accurate registration of the cattle slaughtered at various places ?

Sir Ivo Elliott : Municipal boards have been advised to amend their by-laws for the regulation and inspection of slaughter-houses so as to provide for the maintenance of daily registers showing the sex, age, value and description of every animal slaughtered at a slaughter-house and for the submission of monthly abstracts of that register to the municipal office.

QUEEN'S COLLEGE, BENARES.

5. **Lieut. Raja Kali Charan Misra :** (a) Will the Government be pleased to lay upon the table a statement showing the number of students prosecuting their studies in the Queen's College, Benares, in 1926 ?

(b) Will the Government be pleased to lay upon the table a statement showing the amount of money spent by the Government annually on this institution ?

Mr. Panna Lal : (a) 694.

(b) Rupees 1,06,150.

SUGAR FARMS AT NAWABGANJ, BAREILLY.

6. **Lieut. Raja Kali Charan Misra :** Will the Government be pleased to lay upon the table a complete statement showing the income and expenditure of the sugar farms at tahsil Nawabganj, Bareilly district ?

Mr. Panna Lal : The required statement is laid on the table of the honourable member.

(See Appendix R, page 362.)

AVERAGE COST PER STUDENT AT LUCKNOW AND ALLAHABAD UNIVERSITIES.

7. **Lieut. Raja Kali Charan Misra :** What was the average cost per student in 1925 and 1926 at the Lucknow and Allahabad Universities, respectively ?

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix S, page 363.)

LUCKNOW UNIVERSITIES UNION.

8. **Lieut. Raja Kali Charan Misra :** (a) What extra payments besides tuitional fees are charged from the B. A. and M. A. class students at the Lucknow University ?

(b) Has the attention of the Government been drawn to the fact that the Lucknow University realize annually a certain lump amount for the student's union, which, for practical purposes, is dead ?

(c) How has this union functioned during the last two sessions, 1925 and 1926 ?

(d) How many meetings were held, and with what results ?

Mr. Panna Lal : (a) A statement is laid on the honourable member's table.

(b), (c) and (d) A fee of Re. 1 per term is charged. During 1925 and 1926 the union functioned as a social club, but no regular meeting was held.

(See Appendix T, page 363.)

PAYMENT TO TEACHERS AS INVIGILATORS.

29. Lieut. Raja Kali Charan Misra : Is there any system or scale of payment to the teachers who act as invigilators at the various annual examinations conducted by the Board of High School and Intermediate Education or the Lucknow and Allahabad Universities respectively?

Mr. Panna Lal : No.

RIGHTS OF MEMBERS OF THE LEGISLATIVE COUNCIL AS JAIL VISITORS.

10. Lieut. Raja Kali Charan Misra : Are members of this Council allowed to visit every district jail in the United Provinces?

Mr. R. L. Yorke : The honourable member is referred to the rules in Chapter IV of the Jail Manual.

ROADS MAINTAINED BY DISTRICT BOARD, SITAPUR.

11. Kunwar Bisheshwar Dayal Seth Sahib : Will the Government be pleased to lay a statement on the table showing—

(a) mileage of kachcha roads maintained by the district board, Sitapur;

(b) mileage of metalled roads maintained by the district board, Sitapur;

(c) mileage of provincial roads in Sitapur district?

Sir Ivo Elliott : A statement is laid on the table.

(See Appendix U, page 364.)

BOYS OF SCHOOL GOING AGE IN SITAPUR.

12. Kunwar Bisheshwar Dayal Seth Sahib : What is at present the number of boys of school going age in Sitapur district, and what was the total number of boys on the roll on March 31, 1927 in the primary schools maintained by the district board, Sitapur?

Mr. Panna Lal : Approximately 70,000; 15,955.

INCOME, EXPENDITURE AND GRANT TO DISTRICT BOARD, SITAPUR.

13. Kunwar Bisheshwar Dayal Seth Sahib : What was the total income and the total expenditure of the district board, Sitapur, during the financial year ending on March 31, 1927?

14. Did the Government give any grant to the district board, Sitapur, during the financial year ending on March 31, 1927? If so, what was the amount given and for what purpose?

Sir Ivo Elliott : A statement is laid on the table.

(See Appendix V, page .)

THAKUR KISHAN SINGH OF BASHEER GALI.

15. Pandit Badri Dutt Pande : Will the Government be pleased to state if one Thakur Kishan Singh of Basheer Gali, Malla Tikhoon, Beshkhet, was fined Rs. 5 by the Divisional Forest Officer, Ra division, for picking some oak leaves from Airdeo forest

Mr. H. A. Lane : Thakur Kishan Singh was detected by the divisional forest officer personally in Airdeo reserve up a tree which he had denuded completely of all leaves. He had also heavily lopped several trees with a cutting instrument. The damage done was extensive. Hence the divisional forest officer demanded the sum of Rs. 5 as compensation, at the same time informing the offender that he could refuse to pay, in which case he would have to appear before a magistrate. He preferred to pay compensation.

TIME-SCALE OF PAY FOR CLERKS OF PUBLIC WORKS DEPARTMENT.

16. **Pandit Badri Dutt Pande :** Are clerks of the Public Works department, other than those of the Secretariat, provided with time-scale? If not, has Government any intention of doing so?

Mr. H. A. Lane : (i) No.
(ii) Not for the present.

DISTRICT BOARD CONTROL OVER BAGESHWAR AND OTHER MELAS IN ALMORA.

17. **Pandit Badri Dutt Pande :** Will Government consider the advisability of entrusting the management of the Bageshwar and other melas in the district of Almora to the district board?

Sir Ivo Elliott : Government are considering this question.

ACCOUNTS OF BAGESHWAR FAIR.

18. **Pandit Badri Dutt Pande :** Will Government lay on the table a copy of the accounts of the Bageshwar fair for the last three years?

Sir Ivo Elliott : A statement is laid on the table.

(See Appendix V, page 364.)

ARMS LICENCES IN ALMORA.

19. **Pandit Badri Dutt Pande :** How many gun licences were confiscated in the Almora district from 1921 to date and how many new ones were issued?

Kunwar Jagdish Prasad : A statement is laid on the table of the honourable member.

(See Appendix W, page 365.)

20. **Pandit Badri Dutt Pande :** What is the total number of gun licences in the Almora district? How many are for shikar, how many for protection of crops, and how many for other purposes?

Kunwar Jagdish Prasad : One thousand six hundred and forty-four as below :—

For sport	...	...	...	62
Protection	...	...	...	268
Display and protection	...	...	...	2
Sport and protection	...	...	...	682
Sport, protection and display	...	...	...	28
Crop protection	...	...	...	602
Total				1,644

EXPENSES OF GOVERNMENT COMMITTEES.

21. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state why the expenses incurred by each committee formed by Government together with the expenses of printing the report are not clearly mentioned either in the report of the committee that it submitted to the Government or in the Administration Report of the department under which the committee deals ?

Kunwar Jagdish Prasad : Because Government consider that it would serve no useful purpose.

MAINPURI EXHIBITION.

22. **Thakur Gulab Singh** : (a) Will the Government be pleased to state if subscription for Mainpuri exhibition is realized by the deputy collectors and tahsildars under Government orders ? (b) If not, under whose orders do they do so ?

Kunwar Jagdish Prasad : (a) No.

(b) The collector has authorized tahsildars and deputy collectors to receive such subscriptions as are given voluntarily.

23. **Thakur Gulab Singh** : Is the Government aware that subscription for Mainpuri exhibition was demanded and realized from the arms licence-holders when they came for the renewal of their licences ; from the litigants when their cases were pending in the courts, and from the zamindars when they came to pay their revenue into the tahsil ?

Kunwar Jagdish Prasad : No. So far as Government are aware, the subscriptions are entirely voluntary.

MUSLIM FAKIRS AT TAKIA NEAR BASTI.

24. **Khan Bahadur Hafiz Hidayat Husain** : (i) Is Takia near Basti inhabited mainly by Muslim fakirs ?

(ii) What are the circumstances under which two fakirs (father and son) of Takia were prosecuted under section 107, Criminal Procedure Code, during the last *Bakr-Id* festival ?

(iii) Is it a fact that the house of these two fakirs was besieged by about five hundred Hindu rioters when the deputy magistrate arrived on the scene ? Why had the Hindus assembled there ?

(iv) What action did the deputy magistrate take against these rioters ? If none, why ? Was there any risk to the life of the deputy magistrate and the police with him ?

(v) How was the sacrificial meat disposed of ? Was it buried by the chamars under the orders of the district magistrate ? Why did the magistrate refuse to make it over to the Muslim fakirs who reside in Takia ?

(vi) Did Government receive any protest from the Musalmans of Basti, over this incident ? If so, what action did the Government take, and with what result ?

Kunwar Jagdish Prasad : (i) Takia is inhabited mainly by Muslim rs, but forms part of a larger village inhabited chiefly by Hindus.

On June 11 a crowd of Hindus assembled near the house of the m hearing that the latter had sacrificed a cow for the first time in

the history of the village. Apprehending a breach of the peace, the magistrate took action under section 107, Criminal Procedure Code. The proceedings were dropped after the third day of *Bakr-Id*.

(iii) No. Twenty-five Hindus had assembled.

(iv) The magistrate gave them orders to withdraw, which they obeyed. There was no risk to the life of the magistrate and the police.

(v) Under the orders of the district magistrate the meat was buried by chaukidars who happened to be chamars, as no one else was available. No request for it was made to him by the fakirs.

(vi) Yes, a telegram. It was sent to the Commissioner for disposal.

MUSLIMS OF OONTSAR, TAHSIL BANSI.

25. **Khan Bahadur Hafiz Hidayat Husain :** (i) What are the circumstances under which eight Muslims of mauza Oontsar, tahsil Bansi, were kept in the lock up for three days on the occasion of the last *Bakr-Id* festival ?

(ii) Is it a fact that these Muslims had travelled eight miles to the deputy magistrate to ask for his assistance in the performance of their religious rites, i.e., sacrifice ?

(iii) What assistance did the deputy magistrate give to these Musalman ?

(iv) Have Government seen the order of the deputy magistrate, dated June 12, 1927, demanding security from these persons under section 107, Criminal Procedure Code ?

(v) Did these Muslims offer to give defence in their statements ?

Why were they not allowed an opportunity to produce their defence ?

(vi) What was the ground for apprehension of breach of the peace ?

Was it sacrifice ? If so, have Government approved of the action of the magistrate by which the Muslims were prevented from exercising their religious rites ?

(vii) How did Gokul Prasad Dube, qanungo, happen to go to Oontsar ? Is Oontsar in his circle ? Did the deputy magistrate act on the advice of this qanungo ?

Kunwar Jagdish Prasad : (i) The sub-inspector of police reported on June 12, 1927 that there was an apprehension of a breach of the peace at Utsar over cow-sacrifice. Eight Muslims and three Hindus were bound over under section 107, Criminal Procedure Code. All of them were released after twenty-four hours on their producing sureties.

(ii) No.

(iii) The Deputy Magistrate gave no assistance, as none was asked for.

(iv) Yes.

(v) The Muslims did not offer to give defence and therefore required no opportunity for its production.

(vi) A dispute over cow-sacrifice. Government approve of the action taken by the Magistrate to prevent a breach of the peace.

(vii) (a) Pandit Gokul Prasad was posted at Pakapar by a local order. He visited Utsar on the report of police constable Ali Husain.

(b) Yes.

(c) No.

BHOWALI SANATORIUM.

26. **Khan Bahadur Hafiz Hidayat Husain:** (i) How many patients were treated in the Bhowali sanatorium during the last two years beginning from August 1, 1925 to July 31, 1927?

(ii) How many of these were residents of wards A, B, C and D?

(iii) How many out of these residents of wards were Muslims?

(iv) How many Muslims' applications (written or verbal) were refused? On what grounds were they refused?

Sir Ivo Elliott: (i) The number of patients treated in the Bhowali sanatorium during the years 1925, 1926 and up to September, 1927 was 405. It is difficult to give figures for broken periods of a year.

(ii) Three hundred and fifty-five.

(iii) Eighty-nine.

(iv) Several hundred applications have to be refused annually for want of accommodation or because the case is not suitable for sanatorium treatment. In the whole period 99 applications refused were of Muslims.

CLERKS OF ALL DEPARTMENTS OF GOVERNMENT IN UNITED PROVINCES.

27. **Khan Bahadur Hafiz Hidayat Husain:** Will the Government be pleased to supply a statement compiled districtwise showing the number of clerical officials (excluding daftaris, chaprasis and other menials) working in all the departments of the United Provinces Government? How many out of these are—

(1) Brahmans,

(2) Kayasths,

(3) other Hindus [excluding (4) and (5) below],

(4) members of the untouchable classes of Hindus,

(5) members of the depressed classes of Hindus,

(6) Muslims,

(7) Christians,

(8) Jains,

(9) Sikhs,

(10) others?

Kunwar Jagdish Prasad: Government regret that they are unable to give the information as its collection would involve an amount of labour disproportionate to its value.

TILAKDHARI SINGH, SUB-INSPECTOR.

28. **Khan Bahadur Hafiz Hidayat Husain :** Did Mr MacDonnell, Superintendent of Police, report to the Deputy Inspector-General for action against Sub-Inspector Tilakdhari Singh in connexion with the murder of a village chaukidar committed in 1925 in police station Dhanpur (now district Benares) ?

(ii) Did Sub-Inspector Tilakdhari Singh make any statements before the District Magistrate, Benares, in connexion with the investigation of this murder ? Were they of an incriminating nature ?

(iii) Was the statement of Jugal Singh recorded by the sub-inspector verified by Jugal Singh ?

(iv) What proceedings did the department take against Tilakdhari Singh ? If none, why ?

Kunwar Jagdish Prasad : (i) Yes.

(ii) The sub-inspector did not make any statements incriminating himself.

(iii) No.

(iv) No proceedings were taken, because the facts as ascertained did not justify any action.

CURING AND DYEING OF SKINS BY THE CHAMARS OF FATEHPUR.

29. **Khan Bahadur Hafiz Hidayat Husain :** (a) Have the chamars of Aboo Nagar mohalla of Fatehpur town (United Provinces) been prohibited from curing and dyeing the skins within the municipal limits of Fatehpur by the municipal board of Fatehpur ?

(b) On what grounds is this order based ?

(c) Is it a fact that the residents of the neighbourhood do not object to chamars following their profession in the way they have been doing ?

(d) Have the chamars submitted any representation to the Government ? If so, what action have the Government taken on their memorial ?

Sir Ivo Elliott : (a) Yes.

(b) On receipt of complaints from the residents of Abu Nagar the municipal board appointed a committee to go into the matter, and on the recommendations of that committee action under section 245 of the Municipalities Act, 1916, was taken as the trade occasioned a public nuisance.

(c) No.

(d) (1) No.

(2) Does not arise.

TRANSFERS OF PATWARIS.

30. **Chaudhri Dharamvir Singh :** Will the Government be pleased to supply the following information :—

(a) Is it a fact that the sub-divisional officers are at present empowered to make transfers of patwaris ?

(b) From what year have these officers been entrusted with the exercise of this power ?

(c) Who used to exercise this power before that year?

(d) Are the zamindars concerned consulted before making transfers as they are consulted before making appointments of patwaris? If not, why not?

Mr. H. A. Lane : (a) Yes, by section 227 of the Land Revenue Act.

(b) Since the passing of United Provinces Act No. II of 1922 (Patwaris Amendment Act).

(c) The collector.

(d) The consent of the zamindars is obtained in all cases in which it is required by section 23 (2) (b) of the Land Revenue Act.

31. Chaudhri Dharamvir Singh : Is it a fact that the practice of taking consent of zamindars before making transfers of patwaris existed before but it was subsequently discontinued? If so, why was it discontinued?

Mr. H. A. Lane : The only change made in recent years is that inherent in the addition of sub-clauses (c) and (d) to sub-section (2) of section 23 of the Land Revenue Act of 1901 by the Patwaris Amendment Act of 1922.

SHED ATTACHED TO COLLECTOR'S COURT, MEERUT.

32. Chaudhri Dharamvir Singh : (a) Is it a fact that a *khaprel* shed, attached to the collector's court at Meerut and meant originally for the litigant public and the patwaris, has now been hired to certain mukhtars and that in consequence the litigant public and the patwaris have to undergo great hardships and much inconvenience?

(b) Is the Government prepared to restore the shed mentioned in (a) to the purpose for which it was originally intended?

Mr. H. A. Lane : The honourable member is referred to the reply given to starred question No. 96 on February 23, 1926.

Copy of starred question No. 96 asked by RAI SAHIB CHAUDHRI SHEORAJ SINGH and the answer given on February 23, 1926.

QUESTION.

* (a) Is the Government aware that Meerut is one of the most brisk centres of litigation?

(b) Does any shed for the litigant public exist there?

(c) If so, how is it utilized at the present time?

(d) What is the amount of the rent proceeds received from the present occupants of that shed?

(e) How are these proceeds utilized?

(f) Do Government intend to direct the use of the building for the purpose for which it was originally built?

ANSWER.

* (a) Yes.

(b) A shed exists.

(c) The mukhtars as well as the litigants use it.

(d) At present seventeen mukhtars pay rent at the rate of Rs. 2 per mensem.

(e) These proceeds are credited to Government.

(f) Government do not intend to issue any orders in the matter. If the shed is not used as at present it would hardly be used at all except in wet weather as ants generally sit with the legal practitioners through whom they conduct their cases in court.

Mr. Muhammad Aslam Saifi: Is Government aware that the mukhtars in Meerut have a building of their own and the poor litigants have no other place to sit in?

The Hon'ble the Finance Member: I do not know whether the mukhtars have a building or not, but I am advised that if the shed was not used as at present it would not be used at all.

Rai Sahib Chaudhri Sheoraj Singh: Is Government aware that the shed provides seventeen seats for mukhtars and five or six seats for litigants?

The Hon'ble the Finance Member: I do not know what the exact dimensions are.

Rai Sahib Chaudhri Sheoraj Singh: Will Government kindly inquire?

The Hon'ble the Finance Member: I will inquire.

Rai Sahib Chaudhri Sheoraj Singh: Is Government aware that most litigants have no mukhtars?

The Hon'ble the Finance Member: I think they generally have a mukhtar—at least they used to at the time I conducted cases.

SCHOOLS FOR THE TRAINING OF PATWARIS.

33. Chaudhri Dharamvir Singh: Will the Government be pleased to state—

- (a) the number of schools for the training of patwaris in the United Provinces and the places where such schools are situated;
- (b) the number of teachers in each school;
- (c) the number of grades in which the totality of teachers in the schools has been divided;
- (d) the number of permanent posts in each grade;
- (e) the number of temporary posts in each grade?

Mr. H. A. Lane: (a) The number of schools for training the patwaris in the province is not fixed. It fluctuates with the number of passed candidates available for appointment in a district. At present these schools are working in the 34 districts and sub-divisions shown in the appended table and out of a sanctioned staff of 43 head teachers and 30 assistant teachers only 34 of the former and 20 of the latter are employed, there being no need to employ the full staff.

(b) The information is noted in the table referred to in (a) above.

(c) Sanctioned number of teachers in each grade is noted below:—

HEAD TEACHERS.

<i>First grade.</i>	<i>Second grade.</i>	<i>Third grade.</i>	<i>Total.</i>
<i>Rs. 65.</i>	<i>Rs. 60.</i>	<i>Rs. 45.</i>	
8	14	21	43

ASSISTANT TEACHERS.

<i>First grade.</i>	<i>Second grade.</i>	<i>Total.</i>
<i>Rs. 35.</i>	<i>Rs. 25.</i>	
10	20	30

(d) All the posts in the various grades are permanent.

(e) There is no temporary post in any grade.

(See Appendix X, page 366.)

REMUNERATION TO PATWARIS.

34. **Chaudhri Dharamvir Singh :** (a) What remuneration, if any, is given to a patwari when he is required to perform the duties not directly connected with his ordinary work as a patwari such as the preparation of electoral rolls and the like?

(b) If no remuneration is given, why is it not given?

Mr. H. A. Lane : It is not understood what is meant by "his ordinary work as a patwari." The patwari is bound as part of his ordinary duty to make any report relating to revenue and rent which he may be ordered to make. The preparation of the electoral roll, so far as the patwari is concerned, is such a report, being the preparation of a list of persons paying more than a certain amount of revenue or rent. Care is taken that the patwari is not given work lying outside his prescribed duties except on rare occasions. If he is given such work, as for example partition work, he is paid for it.

SETTLEMENT OPERATIONS IN MEERUT.

35. **Chaudhri Vijai Pal Singh :** Will the Government be pleased to state when settlement operations in Meerut district will commence?

Mr. H. A. Lane : Settlement operations will probably commence in the Meerut district in the year 1929.

DACOITIES IN FATEHPUR.

36. **Khan Bahadur Hafiz Hidayat Husain :** How many dacoities have taken place in the Fatehpur district since March, 1925? What is the value of the property looted? Were any of those dacoities accompanied by murder? If so, how many?

How many dacoities were investigated by the police and with what result?

In how many cases no clue of the dacoits was found?

Kunwar Jagdish Prasad : Thirty-two dacoities have taken place since March, 1925. The value of the property taken was Rs. 31,371-11-3. Four of these dacoities were dacoities with murder. All the thirty-two dacoities were investigated by the police. Eight resulted in conviction, five in acquittal, four are still under trial and two were expunged as false. Twelve cases remained untraced.

REVISION OF GRADATION LIST OF CANAL SIGNALLERS OF II CIRCLE.

37. **Pandit Deota Prasad :** (a) Are Government aware that the gradation list of canal signallers of the II circle which was in force for over fifteen years has recently been revised by the Superintending Engineer of that circle on grounds other than those of seniority of grade?

(b) If so, what were the reasons which prompted him to take this step, and what were the principles adopted in this revision?

(c) While deciding the question of seniority of Government servants generally, do the Government take into consideration length of service or seniority of grade?

(d) Is it also a fact that the same Superintending Engineer had, prior to this, twice refused to sanction any revision of the list simply because he considered seniority of grade to be the sole criterion for deciding the issue?

(e) Do Government intend to take any action in the matter, and if so, what?

The Hon'ble Sir Sam O'Donnell: (a) Yes. Signallers were formerly borne on divisional lists, and when in 1919 they were brought on circle list, their position in II circle was fixed according to seniority in grade only without taking total service or merit into account.

(b) The revised list takes into account all considerations of seniority in grade, total length of service and merit and was unanimously recommended by all circle executive engineers in conference and is more just and equitable.

(c) In analogous cases, both, as well as merit, would be taken into account.

(d) Yes, but for the reason that the question was still under consideration.

(e) No.

SUPPLEMENTARY ESTIMATES.

GRANT NO. 17. EXPENDITURE ON PUBLIC WORKS CHARGED TO REVENUE.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Expenditure on Public Works charged to revenue," a sum of Rs. 20,000 be provided, and to move that this sum be voted.

Pandit Iqbal Narayan Gurtu: I beg to move a token reduction of Rs. 101 under sub-head "Public Works—E.—Communications—Original Works." From the explanatory note we find that Government proposes to build a diversion from Phaphamau to Hanumanganj *via* Sahson. Now I may at once say that my object is not to oppose the proposal of building that road. In fact I confess that this is an important road to build. But what I object to is that an "original work" should have been brought in a supplementary estimate before the Council. I submit this is an abuse of Government's power of bringing supplementary estimates. The principle of supplementary estimates, I understand, is that such expenditure as could not have been possibly foreseen at the time the budget was introduced might be placed before the Council. Now this is an "original" scheme admittedly. Government itself says that this has been a "long felt want" which has not yet been satisfied. A demand for building this road could have been introduced in the last budget. If it could not be done in the last budget, it can be done in the next budget in March. But I do not see on what principle Government introduces schemes for original works in supplementary estimates. It will be said that the total amount that will be required for this road will be about 4 lakhs and that Government only asks for a very small amount of Rs. 20,000 in the supplementary estimates. I am aware of that fact. As I have already said, the principle that should govern supplementary demands should be whether such expenditure could have been foreseen at the time when the budget

[Pandit Iqbal Narayan Gurtu]

was introduced or not. Government cannot say that it is an emergent measure. Government can certainly wait and bring this proposal in the next budget. The Hon'ble Minister will probably say that what is required is that metal should be collected at once in order that the work of construction may soon begin. Now that can be said about any road. Government might as well bring in supplementary estimate proposals for 20 such roads and merely ask for small amounts and say, give us time to collect metal, we shall start work on those roads when we get a larger amount in the budget next year. Sir, that is not the proper way to proceed. As I said it is abusing the privilege which Government has got of bringing in supplementary estimates. I do not see any reason why this road should be singled out among others. Probably it may be that this road also leads to Jaunpur. The Council is probably aware that Jaunpur is the only weak point in the Hon'ble Minister's otherwise admirable character. It may be that because the road has something to do with Jaunpur that the urgency of this road in the mind of the Hon'ble Minister is so great.

Besides, I regret the Hon'ble Minister has failed in showing that regard for his constitutional responsibility to the Council which ought to be the essence of the constitution under which we are working. The Council is entitled to expect from him that in the carrying out of the departments in his charge he will be scrupulously careful to secure the assent and the vote of the Council to any additional sums that he may require. Sir, I strongly protest against the methods the Hon'ble Minister has employed of late. I refer to the wrong advice he has recently given to His Excellency the Governor in sanctioning nearly two lakhs of rupees under his emergency powers for civil works as has been communicated to this House.

The Hon'ble Nawab Muhammad Yusuf : I rise to a point of order. The honourable member's remarks are not relevant to the motion under discussion.

The Hon'ble the President : The honourable member should confine himself to the motion under discussion.

Pandit Iqbal Narayan Gurtu : I merely criticized the Hon'ble Minister's wrong advice that he has given in a particular matter.

The Hon'ble the President : According to the Parliamentary practice it is not right to criticize the policy of the Hon'ble Minister in regard to the whole department under him in the supplementary estimates. Of course if the honourable member wants to bring this out by way of a mild protest or by way of a subsidiary argument to strengthen his case, that is a different matter; but even then more than a passing reference may not be in order.

Pandit Iqbal Narayan Gurtu : That is exactly what I meant. Like Government, I have great faith in giving previous warnings.

The Hon'ble Nawab Muhammad Yusuf : I am glad the honourable member has himself emphasized the importance of this road. This is a road which connects two most important pilgrim centres, Allahabad and Allahabad, and it is largely in the interests of the pilgrims that it has been moved to take up this diversion. The honourable member is aware that the present pontoon bridge at Jhusi is avail-

able for traffic for a part of the year only. During the rainy season—and sometimes for the greater part of the year—it is not at all possible for any kind of traffic to pass, and therefore, in the interest of the Kumbh Mela of 1923, it was found desirable to build a fair-weather road, and that was done in the interest purely and simply of the pilgrims. Now it is discovered that this divergence is really of such great importance in the interests of two great—I may say, the premier—cities of the province, and also in the interests of the pilgrims, not to mention the public and other interests as Industries and Agriculture, that we must proceed with the scheme as early as possible. As it is, it has been postponed a number of times, as unfortunately on account of want of funds it could not be taken up.

As to the remark of my honourable friend that this thing should have come up in the budget itself the honourable member is aware of the stringency of the finances at that time. The money was not available at all, and I may draw his attention also to the fact that when the supplementary budget was taken up in Naini Tal this item was there, but it could not be taken up simply because its turn did not come. There was a discussion on other departments, and this department could not be discussed at all, with the result that this matter was not discussed and this amount was weeded out. The honourable member cannot lay this charge at my door bearing these facts in mind. It is perfectly clear that if the money had been available during the budget, this item would have been there in the budget itself; but as money later on was available I thought a scheme of such great importance should be taken up in the supplementary estimates because the money is available now in the Public Works department.

As regards the figure of Rs. 20,000, I may say that it is absolutely necessary because we want to collect metal, and, unless we collect metal now, there will be further delay in 1928-29. Later we can get enough money to see the scheme through.

Now, with regard to the honourable member's remark—gratuitous and presumptuous remark—that I advised His Excellency the Governor to certify the amount of Rs. 1,80,000 the House is aware that His Excellency the Governor has got the power under the law.

The Hon'ble the President : The Hon'ble Minister is aware that the mover had to curtail as his remarks being out of order. I do not think it is right for the Hon'ble Minister to argue on this point. He can say a few words, however, if he wishes to clear up his position regarding this particular matter.

The Hon'ble Nawab Muhammad Yusuf : It is enough for me to say that it was an act of the Governor and not of the Governor acting with his Ministers.

Now with regard to my partiality to Jaunpur. I may assure the honourable member that I was not moved by any sentiment of local patriotism when I came forward with this demand. As luck would have it, it also connects Jaunpur; but it is with the primary object of connecting Allahabad with Benares that I have come forward with this demand. I repeat that it is in the interests of the pilgrims and the public and in the larger interests of the whole province that I have come forward with this demand.

Mr. C. Y. Chintamani : On the merits of the proposal it has been admitted by the Hon'ble Minister that the proposal is not new, that it is of some years' standing. If that is so, if it could have been left unexecuted for several years after its importance had been recognized, I do not think any catastrophe or disaster will befall either Jaunpur or Allahabad or any other place if it is stopped for a few months in order that it may be considered in the budget along with other proposals of expenditure. If the Council should vote this sum of Rs. 20,000 today it would be committing itself not merely to a grant of Rs. 20,000, but to an expenditure of Rs. 3,91,437. It is necessary that the Council should consider a project of such magnitude in relation to other projects and should consider the relative urgency of them all before it commits itself to any one of them. If it be a fact that this demand was included in the supplementary estimates presented to the Council in June last and was not discussed, I plead absolutely not guilty of any charge, because it is the business and the duty of the other side to arrange things in such a manner that items to which they attach importance shall come before the Council. I do not think there will be any disaster if the proposal is sanctioned in March, 1928, instead of in November, 1927, and I do think that this is the more practical course for the Council to adopt, as the commitment is really of four lakhs and not merely of Rs. 20,000.

I have learnt with great interest from the Hon'ble Minister that we ought to draw a distinction between acts of the Governor and acts of the Governor acting with his Ministers. I note the fact and pass on. I will not discuss the matter, having regard to what has passed here during the last few minutes, but I am entitled to say, and I will content myself with the statement, that as a protest against that to which reference has been made and to which no more than a reference can be made, I will vote against this demand presented by the Hon'ble Minister.

Pandit Iqbal Narayan Gurtu : The Hon'ble Minister in his reply said that this scheme was not included in the last budget because Government had no money, but now that the Government has a plethora of money the Hon'ble Minister finds he can very well make use of it and he has, therefore, put this scheme in the supplementary estimates. When I discussed the principle of supplementary estimates, I had in my mind the fact that an amount of Rs. 40,000 was included in the supplementary estimates last June but it could not be voted. If the thing had come up for discussion, then my objection to it would have been just as much as it has been today. Such original schemes should never be brought before the Council through supplementary estimates. If any savings had remained in the hands of Government, it would have gone to increase the balance about which the Hon'ble the Finance Member has all these five years been so anxious. The closing balance has always been perilously small, and if the balance had increased a little, it would have given some relief to the conscience of the Hon'ble the Finance Member. My objection, in spite of the reply of the Hon'ble Minister, on grounds of principle remains, and if I vote against it it is not, I repeat, because I do not consider that this road is not important and even urgent, but because of the manner in which the demand has been put before the Council. I may assure the Hon'ble Minister that if this scheme is brought before the Council in the budget next March I shall be the first to vote in support of it. There are many roads which are

urgently needed. There is already an unmetalled road, which, according to the explanatory memorandum, can be used in dry weather. We shall have in winter and summer a dry weather when that unmetalled road can be used by pilgrims. Why not therefore wait and bring this original scheme in the next budget.

Sir, I was not surprised at the fury of the Hon'ble Minister regarding certain points which I urged at the close of my speech. He considered my remarks were presumptuous. I never knew till he himself admitted that he was such an amiable futility in the Government of which he formed a part that he never presumed to give any advice to His Excellency in regard to matters pertaining to his department. If he gives the Council the assurance that he is innocent of all such acts, that he never has the presumption to advise His Excellency the Governor, I for one am prepared to accept it, though not without considerable regret. But I still hope that the Hon'ble Minister will give up his almost incurable modesty in future, and that he will take his courage in both hands and at times venture to give advice, though very humbly, to His Excellency on matters which pertain to his department.

The question was put and the Council divided as below :—

Ayes, 40.

Babu Lakshmi Narayan Gargh.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Hukum Singh.
Thakur Gulab Singh.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Bhagwat Narayan Bhargava.
Rao Udaibir Singh.
Babu Kishori Prasad.
Pandit Moolchand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.

Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Babu Ganga Prasad Roy.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Raja Raghuraj Singh.
Mr. B. Y. Chintamani.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Husain.
Rai Bahadur Lal Bihari Lal.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Jagannath Bakhsh Singh.
Mr. E. M. Sontar.
Mr. J. P. Srivastava.
Pandit Iqbal Narayan Gurtu.

Noes, 45.

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir. Ivo Elliott.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Col. R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.

Mr. H. C. Desanges.
Mr. H. E. Ahmad Shah.
Babu Rama Charana.
Thakur Pratap Bhan Singh.
Raja Kushal Pal Singh.
Raja Sri Krishna Dutt Dube.
Rai Bahadur Babu Abhinandan Prasad.
Sirdar Nihal Singh.
Rai Bahadur Babu Mohan Lal.
Maharaj Kumar Major Mahijit Singh.
Kunwar Surendra Pratap Sahi.
Haji Abdul Qayum.
Khan Bahadur Shaikh Zia-ul-Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liakat Ali Khan.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Raja Saiyid Ahmad Ali Khan Alvi.
Kunwar Bisheshwar Dayal Seth.

GRANT NO. 20. GRANTS-IN-AID OF CIVIL WORKS.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Grants in aid of civil works the sum Rs. 30,010" be provided and to move that this sum be voted.

Mr. C. Y. Chintamani: I beg to move that under item "A—Municipalities" Rs. 30,000 be omitted. I make the motion on the ground that there should be uniform treatment of all the important municipalities in the province, and not differential or preferential treatment, favourable to some and prejudicial to others. It is only on this ground that I make this motion.

Chaudhri Dharamvir Singh: I have a similar motion on the paper. The reasons for which I oppose this demand are the same as those given by Mr. Chintamani. If it had been the question only of the deplorable condition of these roads we should certainly have voted for the demand. But as it is we are assembled here to consider the claims and requirements not only of one city or of one municipality or one district, but of a number of districts and a number of municipalities. All those who have got even a slight knowledge of the roads in the interior of the province and in other municipalities, for example in the municipality of Benares, will be struck with the very great amount of inequality in their condition and in their treatment. The roads in Lucknow are generally superior and better than roads in any other municipality. From the reply to a question that was asked by Babu Sampurnanand on October 29 we gather that a great deal of money, perhaps about five lakhs or so, was given for Lucknow roads, I have not unfortunately got the figures with me; perhaps Babu Sampurnanand must have them. Money was supplied to the Lucknow municipality for taking original works in hand, but no money was supplied to Cawnpore or Benares. I speak about the Benares roads from personal knowledge and base my remarks on an experience of not less than about nine years while I was resident in Benares.

The Hon'ble the President: I hope the honourable member does not propose to describe the condition of the roads nine years ago.

Chaudhri Dharamvir Singh: I wanted to show that the Benares roads are in an extremely deplorable condition. Therefore I urge that if money is needed anywhere it is needed in Benares. The road from Durgakund to the Hindu University is, perhaps, the worst. Reference has been made here to the recommendation of His Excellency the Governor and to the fact that Government's attention was drawn by him to the deplorable condition of the roads in question. Sir, I cannot presume that the Governor has got no affection for other municipalities, or that he does not like to give equal treatment to all the municipalities. The matter, perhaps, is this that the Governor visits certain places where the roads are in a deplorable condition and there persons arrange processions

The Hon'ble the President: I have already asked the honourable member that he had better confine himself to the motion before the House. His remarks concerning the Governor are irrelevant and out of order.

Chaudhri Dharamvir Singh: All right, Sir.

I say that the simple fact that the roads of Lucknow, I mean the two roads in question, are in a deplorable condition will not justify the

grant of the amount demanded for the purpose of their repair, so long as roads in other municipalities and towns as well as in the interior of the province remain in a hopeless condition more deplorable than in Lucknow. Unless the claim of those places are met, I do not think it will be proper for us to vote this money. On this ground I oppose the demand.

Pandit Venkatesh Narayan Tivary : I wish to put one or two questions to the Hon'ble Minister for Local Self-Government in regard to this demand. As most of us are aware, the question of intra-municipal roads not only in the city of Lucknow but all over the province has been agitating both municipal and district boards. If I am correctly informed, when Sir Ivo Elliott was at Fatehpur a similar question was raised by the municipal board of Fatehpur in regard to certain intra-municipal roads which had been till then under the control of the district board. In Benares, too, a similar question has been raised. I should like to know why in the case of Lucknow alone Government has come forward with this demand while the cases of Fatehpur and Benares as well as other districts have not been taken into consideration by Government. The second question that I wish to put to him is this: Am I to understand that this is only the beginning of a new policy? Am I to infer that beginning with Lucknow the same sympathetic consideration of Government will be extended to such poor districts as Fatehpur, Mainpuri and Etah? If a sympathetic assurance is given by the Hon'ble Minister I shall be prepared to vote for it; otherwise I shall vote against this demand.

Babu Sampurnanand : I gave notice of a token reduction with a view to draw the attention of the House to the manner in which Government is spending public money in connexion with making grants to local bodies for the purpose of making roads, but instead of moving that motion of mine I shall now speak to the motion of Mr. Chintamani. The way in which Government is doing this work is, to my mind, indefensible. In June last I put a question asking for information about the amounts of money which were granted to various local bodies in the province from the year 1906 to the year 1926. A long statement was laid on my table; it is about 8 or 9 square feet in area. From an analysis of the figures it appears that the city of Lucknow has received as loan an amount of money which is more than double the amounts received by other municipalities put together. Again, in reply to a question of mine put on the 29th a statement was given which showed that in the matter of town improvement, of which of course a very important factor is the making and laying out of new roads, Allahabad received 27 lakhs, Lucknow 41 lakhs and Cawnpore 40 lakhs, but no other city received a pice. Again, in answer to a more detailed question of mine we were told that Lucknow has received a sum of nearly 12 lakhs for sanitary schemes, a sum of 34 lakhs for water-works, 6 lakhs for drainage, and 7 lakhs for roads, while no other city has received a single pice for the construction of new roads. For drainage Cawnpore received

The Hon'ble the President : We are not concerned with drainage.

Babu Sampurnanand: No, Sir. I fail to understand this policy of the Government. There are so many other cities in the province which have better and stronger claims on public money than Lucknow for various reasons. There are the cities of Benares and Allahabad. As everybody knows, they are big cities and visited by more Indians from all parts of India than Lucknow is. Again, cities like Benares and Agra are visited by more people from outside India than Lucknow can ever hope to be. A tourist from outside who has seen Calcutta and Bombay may ignore the city of Lucknow, but no tourist will ever think of leaving this country unless he has visited Benares and Agra, and what is the result of this? A man from outside comes to one of these cities, sees the bad condition of the roads and other sanitary arrangements without knowing the callous way in which the administration under which we have the misfortune to live treats our cities as distinguished from Lucknow. He goes away and writes a book of the kind for writing which the author of "Mother India" has earned so much notoriety. When the roads are in this deplorable condition they are bound to be dusty and probably saturated with disease germs and so on. People who go to these places carry these germs to the various parts of the country. The Government is responsible for this state of affairs. In reply to a supplementary question the Hon'ble Minister said that one great reason for this state of things was that probably those other places had failed to send up proper schemes. In the first place, I must submit that apparently the Hon'ble Minister is terribly misinformed. If he were to carry out sufficient researches in the archives of his office I am sure he will come across files showing the requests and requisitions made by various cities in this connexion. The other day I was informed by an honourable member of this House, Maulvi Zahur-ud-din, that the city of Bareilly had been sending up requests of this kind for a number of years which had all been ignored. Assuming it to be a fact that those places did not send up schemes, was it not the duty of the Government to take the initiative, because after all the fair name of the province might be besmirched by people who see the condition of these places? Why cannot Government realize their intrinsic importance and make a move in the matter. I may quote a precedent. The explanatory memorandum shows that there were certain roads in Lucknow which were in a very bad state of repair. "His Excellency the Governor drew attention to their deplorable condition and expressed his anxiety for their immediate repair as they were in constant use." The Government treated the matter as so very urgent that it could not help introducing it in the supplementary estimates. Has it never struck the Hon'ble Minister to follow in the footsteps of His Excellency the Governor, visit some of these places which have been mentioned by me, see if the condition of the roads there is not a hundred times more deplorable than the condition of these Lucknow roads and take the initiative himself instead of waiting for pressure from those places? Why cannot that be done for those other places which has been done and which is going to be done in the case of Lucknow? There is no indication of any change of policy on the part of Government in the near future. In reply to my questions the Hon'ble Minister did not utter a single word which could be construed as a message of hope for these places.

Again, there is a small token grant here of Rs. 10. There is a bridge to be built over the Bisuhi river at Jamalpur in the Jaunpur district which could cost Rs. 36,000, but in these supplementary estimates a token grant of Rs. 10 has been put in so that the House would commit itself to grant this money in the next year's budget. What I mean to say is this: if the Government had really changed their policy, if they meant to be fair in their dealings with other cities, they could have put in similar small token grants in these estimates for those places to show that next year they were going to make adequate grants to them without taking shelter behind the pretext of not having received schemes from them. So long as Government does not undertake to make these long deferred grants to those various other cities of the province, I think the House will unite in voting for Mr. Chintamani's motion to show that it condemns this extremely partial and nepotistic policy of the Government.

Hafiz Muhammad Ibrahim : I have a token reduction of Re. 1.

The Hon'ble the President : Does the honourable member wish to move it as an amendment ?

Hafiz Muhammad Ibrahim : No, Sir. I shall speak to the motion before the House.

My complaint is also the same as has been described by other honourable members of this House. I am also of opinion that the Government seem to have been rather partial in the case of the Lucknow municipality. The Government ought to treat all the municipalities on the same footing and should be considerate towards the condition of all of them.

I want to bring to the notice of the Government the condition of the roads in a particular municipality, I mean the Nagina municipality, where the roads were constructed some 50 years ago. Now they have become so rotten and deplorable that none of them, unless it is reconstructed, can be passable. If I am assured that the Government will similarly help that municipality also in the reconstruction of its roads, because that municipality has very scanty funds at its disposal and cannot do the work of reconstruction, I will withdraw my motion; otherwise I will press it.

The Hon'ble the President : Have you moved your own motion ?

Hafiz Muhammad Ibrahim : No, Sir. I mean to say that I will either vote for Mr. Chintamani's motion or go against that in case the assurance is given.

Pandit Rahas Bihari Tiwari :

श्रीयुत प्रेसीडेन्ट साहिब,

नियमा नुसार अर्थात् on principle तो यह ठीक है कि यह तीस हजार की मांग जो supplementary grants में रखी गई है वह Original बजट में ही रखी जाती लेकिन जो दश इन दो सड़कों की यानी शाहमौना रोड और कुरसी रोड की है उसको कौन्सिल के मेम्बरान भली प्रकार देख सकते हैं। कौन्सिल से निकलते ही जो सड़क यूनिवर्सिटी की गई है उस पर यदि किसी महाशय को जाने का अवसर मिला हो तो वह जानते होंगे कि उसकी कैसी

[Pandit Rahas Bihari Tiwari.]

बुरी दशा है। यही हालत शाहमोना रोड की है और उसके पास मेडिकल कालिज और अस्पताल है जो एक प्राविन्शियल इन्सटीट्यूशन कहे जा सकते हैं जिस में न केवल हमारे ही प्रान्त के लोग दवा कराने को आते हैं किन्तु दूसरे प्रान्तों के लोग भी आते हैं इन दोनों सड़कों की दशा कितनी खराब है। आप लोग भले प्रकार से जानते हैं कि उनकी मरम्मत सन् २५ से नहीं हुई है। लखनऊ के रहने वाले हमेशा इस बात के लिये complaint कम्प्लेंट करते रहे हैं कि इनकी मरम्मत की जाय डिस्ट्रिक्ट बोर्ड इनकी मरम्मत नहीं करता। म्युनिसिपल बोर्ड मरम्मत नहीं करता और सरकारी और से भी मरम्मत नहीं होती। अर्थात् उस का कोई मालिक नहीं है, यदि यही बात है तो हम लोग कहते हैं कि हमी लोगों को आज्ञा दे दी जाय कि हम लोग उन सड़कों पर अपने २ मकान बनवा लें उस समय यह आप ही मालूम हो जायगा कि ये सड़कें किसकी हैं। ऐसी दशा में यह उचित है कि उन दोनों सड़कों के लिये जो रुपया बजट में रक्खा गया है वह पास किया जाय। यह बात ठीक है कि यह रुपया ओरिजिनल Original budget में रखना चाहिये था। जो लोग कहते हैं कि दूसरी म्युनिसिपलिटियों को भी रुपया दिया जावे यह ठीक है। कानपुर म्युनिसिपलिटि को रुपया मिल चुका है इलाहाबाद म्युनिसिपलिटि को रुपया मिल चुका है तो कोई कारण प्रतीत नहीं होता कि लखनऊ म्युनिसिपलिटि को रुपया क्यों न दिया जाय। जब लखनऊ को रुपया देने का वक्त आता है तो इसका विरोध किया जाता है लेकिन जब ताल्लुकदारों से चन्दा लेने की बात आती है तो इसका झुगल नहीं किया जाता। ऐसा नहीं होना चाहिये। इस लिये मैं प्रार्थना करूंगा कि यह रुपया जो रक्खा गया है उसे पास किया जाय मैं इसके साथ ही साथ मिनिस्टर साहब लोकल सेल्फ गवर्नमेन्ट से अनुरोध करूंगा कि दूसरी म्युनिसिपलिटियों को भी इसी प्रकार की सहायता दें। लेकिन जो लोग कहते हैं कि लखनऊ की ग्रांट काट दी जाये यह बात उनकी ठीक नह है। हमारे यहां का मेडिकल कालेज एक प्रकार से प्राविन्शियल इन्सटीट्यूशन है। यूनिवर्सिटी रोड की दशा भी अच्छी रहना चाहिये जहां न केवल लखनऊ के बल्कि सारे प्रान्त के और ख़ास कर अवध के लड़के पढ़ने आते हैं। इस सड़क को इतनी दुर्दशा है कि अभी ३-४ दिन हुए कि जब मैं राजा साहिब काला कांकर के यहां जा रहा था कि मेरा तांगा उचटा और मेरे सिर में चोट लग गई। आप लोग स्वयं जा कर देख लें कि उसकी कितनी बुरी दशा है। मेडिकल कालेज में बीमार जाते हैं गर्भवती स्त्रियां भी जाती हैं आप सोच सकते हैं कि उनकी कैसी दुर्गति होती होगी इसको वही लोग जानते हैं जो उस तरफ़ इन सड़कों पर से जाते हैं ऐसी अवस्था में मैं आप से प्रार्थना करूंगा कि यह ३०,००० की ग्रांट जो इसके लिये रक्खी गई है वह पास की जाये। मैं मिनिस्टर साहिब से प्रार्थना करूंगा कि लखनऊ म्युनिसिपलिटि की तरह दूसरी म्युनिसिपलिटियों को भी इसी प्रकार से ग्रांट दें जिस में किसी को शिकायत करने का मौका न रहे ॥

Rai Bahadur Lala Mathura Prasad Mehrotra : If I intervene in the debate at this time it is not to support the case of Lucknow. I say that there is no question of Lucknow and Allahabad or other cities as some of the honourable members seem to take into their heads. I stand here to explain the true position. I was a member of the Lucknow municipal board from 1924 to 1926. The question was brought three or four times before the board on the representations made by the citizens of Lucknow and the letters appearing in newspapers from persons coming into Lucknow. Sir, we tried to settle the question with the district board. I myself, as a member of the municipal board, tried to settle it with the chairman of the district board, but nobody was prepared to accept that the roads in question belonged to the municipal or to the district board. So they were left uncared for, and even the usual repairs were not done. Several animal casualties occurred on these roads, and the matters were reported to the municipal board. The municipal board made representations to Government, which, having accepted the recommendations, has brought this sum into the budget. I do not question the points raised by my honourable friend coming from Allahabad, I mean Pandit V. N. Tivary, rather I whole-heartedly agree with him. There is surely no question why the other cities, where such questions have arisen, should not get a similar grant. It is only the requirement and the merit of the question for which I have stood to support this demand.

Babu Bhagwati Sahai Bedar : I strongly support this demand, not because the road which leads to Chauk is very bad, but because Chauk is on the road to improvement these days, and those persons who have to do anything with Chauk or otherwise those persons who have to visit the Medical College on their return from Chauk find it difficult to reach home.

Pandit Govind Ballabh Pant : In daylight or darkness ?

Babu Bhagwati Sahai Bedar : Of course, it may be possible that persons may go safely in daylight, but it will be absolutely impossible to go after sunset since they will not know in which pit they are going to fall. I, therefore, strongly support the motion. Now the question is why this treatment has been shown to Lucknow only? This is but a small beginning and other districts will have their share. If such conditions prevail in other districts as well, they should apply to the Hon'ble Minister and he shall manage to have those roads metalled as well. There is no reason why there should be any particular jealousy about Chauk road since, as pointed out by the Hon'ble Minister, there are special features about this road. The Hon'ble Nawab Muhammad Yusuf is ready with his road-making machine. Other districts should not envy it. Very soon they shall see how matters stand. In fact, the time is coming very shortly when honourable members shall protest why the Government is going to metal their roads instead of complaining why Government shows favour to one district and not to others. There is another point. I have had my personal experience over these Chauk roads. Once the pony of my tonga actually dropped on the road, and I asked my friend Babu Trilokinath Bhargava, the chairman, municipal board (who is very anxious to get Chauk road actually metalled now, for reasons more than one), who was

[Babu Bhagwati Sahai Bedar.]

responsible for it? He said "district board." I went to the district board and they said "municipal board." Under the circumstances I think, when there is nobody to claim the road, such unclaimed property, as is a general practice with unclaimed properties, must go to the Government. Apart from this since خانہ خالی را دیو می گیرد I think the Government is perfectly justified in acting in that manner. With these few words I support this demand.

The Hon'ble Nawab Muhammad Yusuf: I have listened to the remarks of the honourable members with rapt attention, and I find that not a single member in this House is really opposed to this demand on its merits. But there seems to be a desire on the part of several members to elicit information from me and to know whether I am prepared to meet the needs of other places also. I may inform honourable members at once that this demand for Rs. 30,000 is not made because I want to show partiality to Lucknow, but because it is a very special case and it requires very special treatment. Honourable members are aware that the dispute between the district board and the municipal board went on for a long time, and it was only in 1926 that this district board road was transferred to the municipal board in a very sad condition, and the municipal board represented to the Government that owing to financial stringency it could not provide money for the maintenance of these roads. The position of the district board also is practically the same. Honourable members will thus see that neither the district board nor the municipal board is in a position to finance the thing and do these special repairs. The chairmen of the district board and the municipal board were consulted and they gave an undertaking that they would be prepared to find Rs. 27,000 if the Government would also be prepared to help them by giving a grant of Rs. 30,000. So, I repeat again that this is a very special case, and a very special treatment is being meted out. There is no current demand at present which is on all fours with this case. Had there been any such case I assure honourable members it would have received my sympathetic consideration. I repeat again that this is a special case and as such I am giving it special treatment. If there had been any similar cases I would have been only too glad to look into them. Honourable members referred to the general policy involved in the grant. There is no question of general policy involved in this. It is a very special case, as I have already said, and it has received special attention because it is a new liability which did not exist before. This is a special case, and is therefore being given a special treatment.

Pandit Iqbal Narayan Gurtu: Will the Hon'ble Minister kindly say how it is a special case?

Babu Bhagwati Sahai Bedar: It has special features.

The Hon'ble Nawab Muhammad Yusuf: I have already given my reasons.

The Hon'ble the President: The question is that the item of Rs. 30,000 be omitted.

The motion was put and negatived.

Rai Bahadur Lala Mathura Prasad Mehrotra: I beg to move that the Grant No. 20 regarding "B—District boards" be reduced by Re. 1.

By bringing this token reduction of Re. 1, I want to protest against the method adopted by the Hon'ble Minister. Here, in the supplementary estimates, *at the jag end of the year he has brought a token demand for Rs. 10* and wants the House to commit itself to a scheme involving much larger expenditure. I think the budget time is the right time and not the supplementary estimates for introducing new schemes. I quite realize that the demand may be an important one, and it is possible that it may be more important than we think. But from the explanatory memorandum I find that the Government has been putting it off from the last year. I, therefore, do not see any reason why they cannot put it off for some months more. I therefore move this token reduction of Re. 1 by way of protest against the way in which the Government are bringing token demands in the supplementary estimates and hope the whole House will agree with me.

The Hon'ble Nawab Muhammad Yusuf: As far as I could see my honourable friend seems to have lodged his protest because he thinks this item should not have been brought in a supplementary estimate. I may point out to him that this grant was recommended long ago. It was passed by the Finance Committee. The estimate has been prepared. It went up from 36,000 to 42,000.

The Hon'ble the President: The Hon'ble Minister should not refer to the proceedings of the Finance Committee.

The Hon'ble Nawab Muhammad Yusuf: I am only mentioning it. I am sorry, Sir. Now that the House has passed two other items in the supplementary estimates I hope they will not grudge this item of Rs. 22,000 to the district board. This amount has to be given in the budget of 1928-29. The board has already deposited a sum of Rs. 20,000, which it was required to do. On this condition alone the Government was willing to give money. The board has deposited its share of the amount and no money will be required for the present for taking up the works. This is the whole position.

Rai Bahadur Lala Mathura Prasad Mehrotra: I am not satisfied with the explanation given by the Hon'ble Minister. But because he has referred to Jaunpur, his own native place, I withdraw my motion.

The motion was, by leave of the Council, withdrawn.

The demand, as framed, was put and voted.

GRANT NO. 20—LAND REVENUE.

The Hon'ble Sir Sam O'Donnell: I beg to report to the Council the recommendation of His Excellency the Governor that under head "Land revenue" a sum of Rs. 9,676 be provided, and move that this sum be voted.

Chaudhri Dharamvir Singh : I beg to move a token reduction of Re. 1 in item concerning management of Government estates under the head "F—Forest charges—4—Supplies and Services."

If honourable members will turn to page 19 of the supplementary estimates they will find the following explanation given:—"The provision in the supplementary demand is for the forests in the Dudhi Government estates. These forests make in area a charge larger than the usual charge of a divisional forest officer, and cannot be run on the inadequate staff hitherto maintained nor on the small allotment given for works, communications, and other supplies and services." Now I wish to inquire by how much the area of this special division exceeds the normal area of a Forest division, and again what the strength of the staff there already is? When this information has been vouchsafed to us we will be in a position to say whether the demand before the Council is justified by the requirements of the case.

The Hon'ble Sir Sam O'Donnell : I am afraid I cannot say by how much the area of Dudhi exceeds the area in the normal charge of a divisional forest officer. But if the honourable member will look at the map he will see that this Dudhi area is a very large area, indeed, and he may take it that it is certainly larger than the normal charge of a divisional forest officer.

Chaudhri Dharamvir Singh : I do not wish to press my motion to a division.

The motion was, by leave of the Council, withdrawn.

Pandit Badri Dutt Pande : I beg to move a token reduction of Re. 1 in the supplementary grant of Rs. 8,860 under head "Land Revenue (4)—Supplies and Services—Forest charges." I want to elicit some information about one item. On page 19 there is an item "Increase in the pay of 14 forest guards at Rs. 54 per mensem." We have on the same page an item "Two more forest guards on Rs. 16 per mensem each." While we are paying Rs. 16 here, there we are demanding Rs. 54 per mensem for forest guards. Would it not create heart-burning among other forest guards when you pay some at the rate of Rs. 16 per month and others at the rate of Rs. 54. You are paying the forester at the rate of Rs. 25. The forester is an officer of the forest guard. So in this way the officer will be getting less than what the forest guard will get. We should not mind a few chips to these low-paid servants when big amounts are provided for the salaries of the big guns of the bureaucracy. But we have noticed that the income from forests is decreasing. It reached up to 32 lakhs in recent years, but it has fallen to 26 lakhs. This is according to the Government resolution published recently. So we say the expenditure under "Forest" is increasing, while the income is decreasing. We have to be on guard so that we should not be bankrupt. That is the information that I want.

The Hon'ble Sir Sam O'Donnell : The honourable member is mistaken in supposing that this is an increase under the head of "Forests." This item has nothing to do with "Forests." This demand is under the head of "Land Revenue." The proposed increase in salary relates to a few months in the year, and the actual increase per head works out at Rs. 54 divided by Rs. 14, i.e., about Rs. 3-8-0. I am not quite

sure what the forest guards are getting at the present moment. But certainly they are not getting a large salary. This increase is to secure satisfactory men. I have been myself on one occasion in Dudhi. It is a very remote, jungly tract inhabited mainly by a very primitive class of population. If you want to have satisfactory forest guards you must give a reasonable rate of remuneration, otherwise you will not get men who will take up employment in this place.

The motion was, by leave of the Council, withdrawn.

Pandit Govind Ballabh Pant : I move that this demand of Rs. 9,678 be reduced by Rs. 3,600. The details which go to make up this item are given on page 19. There is an item "Forest bungalow with out-houses at Dudhi." This will cost Rs. 3,360. Rs. 700 are being provided for stores, tools and plant. I am moving for a reduction of Rs. 3,600 mainly with a view to cover this item of Rs. 3,360 and such proportion of stores, tools and plant as are appurtenant thereto. Sir, the Dudhi Government estate is not yielding any substantial profit. According to the last budget I may satisfy the curiosity of the Hon'ble the Finance Member, the net amount that is to be earned by way of profit by this estate is estimated at about Rs. 14,000; while the Tarai and Bhabar Government estates are giving more than two lakhs a year as profit to the local Government in addition to their share of land revenue. However, for the present I would confine myself to the income and the charges which relate to the administration of the Forest department. According to the budget for the current year the income was put down from the Forest department at about Rs. 12,000; while the corresponding budget expenditure comes to Rs. 24,326, so that, taking the figures as they are in the budget, the forest administration in the Dudhi estate was to be carried on at a nett deficit of about Rs. 13,000, and to this a further addition is being proposed of about Rs. 9,000. This seems to me, on the face of it, altogether preposterous, and I do not see what justification can there be for going in for such unnecessary expenditure as the construction of a bungalow with outhouses at Dudhi when there is a deficit, and when the expenditure as budgetted comes to more than double the income. According to the budget figure, the Forest department was to cost about Rs. 12,000 over and above the amount that was to be earned from the forest in this estate. Now another sum of Rs. 9,000 is going to be added to it. So far as I am aware of the state of things in the estate there is very little of valuable timber. It consists merely of shrubs and grass. In these circumstances it is unpardonable that a sum of Rs. 3,600 should be spent in constructing a bungalow. There are already quarters for the range officers, for forest guards and others. Moreover, this fact must be borne in mind that we are dealing with supplementary estimates, and nothing that is not of an urgent nature should be brought before the Council in the shape of these estimates. I hope the Hon'ble the Finance Member will see the reasonableness of the proposal that I am making and will accept that it is not proper that this bankrupt forest administration should incur any additional expenditure, or that it should be allowed to make further encroachments on funds that are earned from other sources.

The Hon'ble Sir Sam O'Donnell : I have not got the budget in front of me, but I have in front of me the resolution which Government

[The Hon'ble Sir Sam O'Donnell.]

issued recently in the Revenue department, and I find that the surplus from the Dudhi estate has increased from Rs. 14,850 to Rs. 38,000. Then as regards the receipts from the forests. These receipts were in 1924-25 Rs. 4,350, in 1925-26 Rs. 12,245, in 1926-27 Rs. 28,614, and in 1927-28 Rs. 27,000. We are assured, if more money is provided, i.e., this small sum of Rs. 9,000, there will be a corresponding increase in the receipts. We should not have asked the Council to sanction these proposals if we had not been satisfied that they were going to pay. The need for the bungalow itself has been explained very clearly in the supplementary estimates. The bungalows are essential to admit of the inspection of various works in the southern part of the estates, especially during the hot weather. I do not know if any honourable member has ever been to Dudhi; you have got to go sixty miles by road from Mirzapur; there is no railway. Then from Robertsonganj you have got to cross a river and then you come to this remote and primitive tract. If you do not have a bungalow there, there will be no inspection, and it is quite clear if there is no inspection the income will suffer. I may assure the Council that we should not have put forward this proposal if we had not been satisfied that it was going to pay, and I hope they will pass this sum.

Pandit Govind Ballabh Pant : The Hon'ble the Finance Member has not cared to see the budget and he has not got it with him. He would not bother about getting it either from the Finance department or from the library because he probably knows that the figures as given in the budget do not bear out the case which he wants to make out in support of the proposal. But I have got a copy of the budget before me, and he is welcome to examine the statement that I have made. According to this the income of the Forest department is much less than the expenditure over the forests. I am not concerned with the total income from the Dudhi estate. His statement may be correct, but it is not in accordance with the figures that were presented to us in March last. If the report that has been given by the Board of Revenue does not agree with the budget that was presented to us, then I think we have to lay the blame on Government for giving certain figures in one set of papers and for different ones in another set. Of course, we are neither responsible for the preparation of the budget nor for the report that was submitted to the Government by the Board of Revenue. If there is any disparity between the two, it shows the laxity and carelessness with which Government frames the budget. As I have just submitted, the Hon'ble the Finance Member has not been able to challenge any statement that is directly relevant to the point in issue. And it is this : whether or not the income from the Forest department in the Dudhi estate is less than the expenditure that has to be incurred, whether or not the expenditure that was provided in the budget came to Rs. 25,000; whether or not with the addition of this Rs. 9,000 it will or will not go up to Rs. 34,000; whether, even admitting that he is going to get a return to the tune of Rs. 24,000, as he told us, there will not still be a deficit of about Rs. 10,000. If that is so, whether he is prepared to incur further expenditure over a bungalow which has to be used for inspection purposes by the special forest officer. We do not know how near the other bungalows are; we are not told how many days in the year he is going to reside in this bungalow; there are people who will be working at these places day in and day out throughout

the summer and they will have no bungalows to live in. The forest officers should have stamina enough to live in the environment in which they are expected to work. If they have not got a sufficiently robust physique then it will be better for them to withdraw from the work which they voluntarily take upon themselves. It is not for the State to provide a bungalow at every nook and corner for every forest officer who goes to inspect the locality for a few days in the year. After all, it is only for inspection purposes that they want a bungalow; it will not be the headquarters of the forest officer; he will not be staying there even for the major part of the year. In the circumstances it is highly improper for the Council to vote any money for this purpose, and I hope this motion will be carried.

The Hon'ble Sir Sam O'Donnell : As regards the budget, as I have said, I have not been able in the time available to get hold of a copy, but I am informed by the Senior Member of the Board of Revenue that there was a mistake in the budget. The Collector says that his estimate of income from forests in 1927-28 was totally inadequate. It is owing to this inaccurate report that the wrong figures were shown in the budget. The correct figures are shown in the resolution recently issued, and it is shown there that a deficit of Rs. 10,000 has been turned into a surplus. We have had a special forest officer on duty there for two years. We have a valuable property in this estate which will only yield full results if the forests are worked on scientific lines, and this is what we are proposing to do. I am not proposing that we should have forest bungalows scattered over this huge area; we are only asking for one single forest bungalow. Surely that is not a very excessive request. We are not asking for a palace: one could not build a palace for a sum of Rs. 3,000. We are only asking for a bungalow for the forest officer to live in when he goes there during the hot weather. The Dudhi estate, south of Mirzapur, is an extremely hot place, and if the honourable member would go down with the forest officer I think he would welcome the sight of a bungalow.

The motion was put and the Council divided below:—

Ayes, 39; Noes, 40.

Ayes.

Babu Lakshmi Narain Gargh.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Thakur Partab Bhan Singh.
Thakur Hukum Singh.
Thakur Gulab Singh.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Pandit Bhagwat Narayan Bhargava.
Rao Udaibir Singh.
Babu K shori Prasad.
Pandit Moolchand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.

Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.
Babu Ganga Prasad Roy.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Raja Raghuraj Singh.
Mr. C. Y. Chintamani.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Hussain.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Mr. Muhammad Habib.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Raja Jazannath Bakhsh Singh.
Pandit Iqbal Narain Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell.
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 The Hon'ble Thasur Rajendra Singh.
 The Hon'ble Nawab Muhammad Yusuf.
 Kunwar Jagdish Prasad.
 Mr. H. S. Crosthwaite.
 Sir Ivo Elliott.
 Mr. J. H. Darwin.
 Mr. H. A. Lane.
 Mr. R. L. Yorke.
 Mr. R. Oakden.
 Mr. A. W. McNair.
 Khan Bahadur Chaudhri Wajid Husain.
 Mr. E. L. Norton.
 Mr. F. F. R. Channer.
 Mr. R. J. S. Dodd.
 Col. R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.

Mirza Muhammad Sajjad Ali Khan.
 Khan Bahadur Mr. Masud-ul-Hassan.
 Mr. H. C. Desanges.
 Mr. E. Ahmad Shah.
 Raja Kushal Pal Singh.
 Pandit Shri Sadayatan Pande.
 Rai Bahadur Babu Abhainandan Prasad.
 Rai Bahadur Babu Mohan Lal.
 Haji Abdul Qayum.
 Saiyid Tufail Ahmad.
 Khan Bahadur Shaikh Zia-ul-Haq.
 Lieut. Nawab Muhammad Jamshed Ali Khan.
 Nawabzada Muhammad Liaqat Ali Khan.
 Maulvi Saiyid Habib-ullah.
 Khan Bahadur Maulvi Muhammad Fazlur-Rahman Khan.
 Khan Bahadur Maulvi Fasih-ud-din.
 Shaikh Muhammad Habib-ullah.
 Raja Saiyid Ahmad Ali Khan Alvi.
 Rai Bahadur Lala Bihari Lal.

Mr. J. P. Srivastava.

The demand, as framed, was then put and voted.

The Hon'ble the President: Honourable members will find on their table the volume of the supplementary estimates, part II. As a matter of fact the volume consists only of one page and the demand is for two lakhs for a lump provision for special repairs. This part of the supplementary estimates was handed in to Council office, as I understand, along with the previous part on October 27; but as that part was not marked as part I, and this part was marked part II, by some inadvertence it was not placed on the table of honourable members on October 29. But honourable members certainly are entitled to have sufficient notice and, therefore, no motion can be moved today. The Hon'ble the Finance Member has agreed to move it tomorrow. Motions for reduction in respect of this demand will be taken up to 11 A. M. tomorrow. After lunch today we shall take up the non-official business.

The Council here adjourned for lunch.

After the recess the Deputy President took the chair.

RESOLUTION.

RESOLUTION re SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

Pandit Venkatesh Narayan Tivary: I beg to move the following resolution:—

"That this Council recommends to the Governor in Council to take steps to bring about, without any further delay, the complete separation of judicial from executive functions."

At the outset I think an apology is needed from me for moving this resolution when, as is known to the House, the subject-matter of this resolution is under the consideration of the Secretary of State for India. But before I deal with that point may I utter a word in self-excuse for bringing forward this resolution? I understand that there is a feeling among officials in this country that this reform can only be of interest to only three sections of the people—the lawyers, or the agitators, or the criminals. So far as I am concerned, I do not belong

to that noble profession of which you, Sir, are one of the most distinguished members. I am as innocent of law as a child unborn. So far as the section of criminals is concerned I have not yet been convicted of any crime. I admit the soft impeachment of being an agitator. But if the honourable the Director of Public Instruction, who has been described as the modest head of a modest department, were present I am sure he would have borne me out when I say that I am less of an agitator and more of a social servant. Therefore, so far as I am concerned, my *bona fides* is perfectly clear. I am not sure whether the Hon'ble the Home Member will be in an equally fortunate position when he comes to reply to this resolution on behalf of the Government. I believe, Sir, that most members of this House remember the answer that was given in the winter session of the Assembly to a question put by Pandit Hirday Nath Kunzru to the Hon'ble the Home Member. The then Hon'ble the Home Member, now our Governor-designate, said that this question had been under the consideration of the Government of India for the last eighty years, and when he was further asked if the rate of progress in future would be as rapid as it had been in the past, the Hon'ble the Home Member replied that he saw no reason why the progress should be less rapid in future than it has been in the past. The Home Member of the Government of India was not quite accurate. This question has been under consideration not for eighty years, but it has been actually under consideration for the last 140 years. May I, with your permission, just refer to a few salient dates which are connected with the history of this question. This combination of functions actually took place in 1787 when Lord Cornwallis came out to India as Governor-General. At that time Sir John Shore, who happened to be a member of Council, wrote thus :—

“The people accustomed to a despotic authority should look to one master. It is impossible to draw a line between the Revenue and [the Judicial departments to prevent them from clashing; and in this case either the revenues must suffer or the administration of justice must be suspended.”

But Lord Cornwallis, after a short stay in the country, came to a different conclusion. He found that the result of this system, that is of the combination of these two functions, would be to sacrifice the administration of justice to the supposed fiscal interests of the Government. Therefore, as early as 1787 the Governor-General of India at that time was of opinion that the combination of these two functions would lead to the sacrifice of the administration of justice, though it might be of benefit to the supposed fiscal interests of the government. After that a number of regulations were passed, sometimes separating and then again combining these two functions. I will not weary the House by taking them through these various dates, but there is one important date which I should like to bring to the notice of this honourable House. In 1859 the Government of India appointed a Commission which was composed entirely of officials who had had most distinguished careers in the various services to which they belonged, and three of them, the principal being Mr. Halliday, wrote a minute, and in that minute he said :—

“The union of Magistrate with Collector has been stigmatized as incompatible, but the junction of thief-catcher with judge is surely more anomalous in theory and

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more mischievous in practice. So long as it lasts the public confidence in our criminal tribunals must always be liable to injury and the authority of justice itself must often be abused and misapplied, and the power of appeal is not a sufficient remedy—the danger to justice under such circumstances is not in a few cases, nor in any proportion of cases, but in every case. In all the Magistrate is constable, prosecutor and Judge."

After that, Sir, the question was again taken up by the Government of India for consideration, and at that time one of the members of the Executive Council of the Governor-General wrote a minute thus :—

"The judicial ermine is, in my judgement, out of place in the byeways of the detective policeman in any country, and those byeways in India are unusually dirty. If the combination theory were acted upon in reality—if an officer, after bribing spies, endeavouring to corrupt accomplices, laying himself out to hear what every tell-tale has to say, and putting his wit to the utmost stretch, for weeks perhaps, in order to beat his adversary in the game of detection, were then to sit down gravely as a Judge, and where to profess to try dispassionately upon the evidence given in court the question of whether he or his adversary had won the game, I am well convinced that one or two cases of this sort would excite as much indignation as would save me the necessity of all argument *a priori* against the combination theory."

His feeling was that one or two cases of injustice, owing to the combination theory, would be enough to condemn it for ever. He wrote this in 1857. We are now in the year of grace 1927, and not one or two cases, but innumerable cases have taken place in the interval. But the Government of India, including the provincial Governments, stand where they stood at the time. Again, the question was discussed and considered by the Government of India from time to time. But when Sir James Fitz James Stephen came, and the subject was placed before him for consideration, he wrote a minute in the course of which he said—I wish to draw the attention of the House to the very important words of Sir James Stephen. The reasons which he gave for the continuance of the system then in vogue were that "in the circumstances of British India the maintenance of the position of the district officers is essential to the maintenance of British rule in India." That explains the reasons why these functions have not been separated. He further said "that any diminution in their influence and authority over the natives would be dearly purchased even by an improvement in the administration of justice."

Since that time the question has been pending consideration, but although the question has been pending consideration, in the year which will always be memorable to the members of this House, the year 1888, in which the present Home Member was born, Lord Dufferin speaking at the St. Andrew's Dinner at Calcutta said that "this demand for the separation of the two functions was a counsel of perfection which the Government of India would be prepared to adopt if funds permitted." Thereafter Sir Pherozeshah Mehta, speaking as the President of the Indian National Congress in 1890, when the two non-Muslim Ministers of the present Government were born, said :—

"It has been proved on sworn testimony before Sir Michael Westropp, Chief Justice of Bombay, that in the arid atmosphere of Kathiawar a woman was not delivered of her child after 27 months of her pregnancy; so in the highly rarified atmosphere of Simla it would probably take

more than two years even for counsels of perfection to be carried into effect."

The question was then discussed in both the Houses of Parliament by means of questions ; and, speaking in the House of Lords, Lord Kimberley, the then Secretary of State for India, as well as Lord Cross, one of the ex-Secretaries of State for India, both said that they approved of the reform, but that they were deterred for want of funds from carrying it out. A complaint was further made that, although Indians had been pressing for the separation of these two functions, they had not put forward any practical scheme for the consideration of the Government. When this challenge was thrown down it was taken up by Indian publicists in various provinces. Sir Pherozeshah Mehta prepared a scheme for the presidency of Bombay, and, for the province of Bengal, Mr. R. C. Dutt, Mr. Manmohan Ghose, and Babu Ambica Charan Mozumdar prepared three schemes. But even then no notice was taken. An agitation, however, continued, in which by far the most important part was played by Mr. Manmohan Ghose who, as a matter of fact, fell a martyr to the cause which he had been advocating with so much zeal. In 1899, a memorial signed by some of the most distinguished Anglo-Indians, was submitted to the Secretary of State for India. Among those who signed this memorial were Lord Hobhouse, Sir Richard Garth, Sir John Scott, Sir William Wedderburn, Sir Roland Wilson, and Mr. Reynolds. Even then no action was taken on it. Here I may mention a fact which is not generally known to the public at large ; when Mr. Gokhale returned in 1906, after having had a number of interviews with Lord Morley, he told his friends here that he was in high hopes that now after so long a period this demand of the Indians would be conceded and that those two functions would soon be separated.

In 1908 Sir Harvey Adamson, on behalf of the Government of India, made a declaration in the Imperial Council in which he said that the Government of India then accepted the principle of the separation of executive and judicial functions, and that they were prepared to introduce this reform as an experimental measure in selected districts of Bengal and Eastern Bengal. The then Home Member of the Government of India, in making this announcement, made use of very significant language. He said :—"I fully believe that subordinate magistrates very rarely do an injustice wittingly, but the inevitable result of the present system is that criminal trials affecting the general peace of the district are not always conducted in that atmosphere of cool impartiality which should pervade a court of justice. Nor does this completely define the evil, which lies not so much in what is done as in what may be suspected to be done, for it is not enough that the administration of justice should be pure ; it can never be the bed-rock of our rule unless it is also above suspicion." That is what he said :—"It is not enough that the administration should be pure ; it can never be the bed-rock of our rule unless it is also above suspicion." What was the result of that experiment if it was ever tried, we do not know ; whether it was ever tried, we do not know ; but when in 1913 Mr. Surendranath Banerjee brought up this subject for discussion in the Imperial Council, he was given the cold shoulder by Sir Reginald Craddock, who was then the Home Member of the Government of India. But Sir Reginald Craddock

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in opposing the resolution of Mr. Banerji, as he then was, did not do so on the ground that the scheme ought not to be accepted, but he opposed it on the ground that the subject was still under the consideration of the Secretary of State for India. Evidently the subject has been under the consideration of the Secretary of State since 1913.

After that, when Mr. Montagu came out to India in order to confer with Lord Cheimsford in connexion with the Reforms Scheme, it is known to many Indians who had had opportunities of discussing the subject of reforms with him, that he was in favour of making this subject a part of his scheme because, otherwise, he felt that by the Government of India constituted as it was this reform would never be introduced or allowed to be introduced in India. But he was advised that if he did so, he would be jeopardising the chances of his own scheme; and he was further assured that in case he did not make it a part of his scheme the reformed councils would tackle this subject and that this would be the very first subject, among others, which the new reformed Councils will take up.

Again, this subject was raised by means of interpellations in the Legislative Assembly. In 1921 Sir William Vincent said in answer to a question that had been put—and I bring it to the notice of the Home Member that at that time our present Finance Member was in the Home department there—that if any provincial Government wanted to introduce this reform, the Government of India would not stand in the way. That was said in 1921. Accordingly, a resolution was moved in this Council in 1921 by Mr. Chhail Bibari Kapur. Mr. Chintamani, then a Minister, speaking on behalf of the Government, made a declaration which was of special significance. He as a Minister speaking on behalf of the Government on a subject which relates to the reserved departments, said that the Government of these provinces accepted unreservedly and definitely this principle of the separation of executive and judicial functions and the only point that remained to be considered was to find out what should be the practical method of giving effect to this reform and also to find out what would be the cost of the introduction of this reform. A committee was soon constituted, and of that committee one of the members was the present Home Member. That committee prepared a scheme. As usual, there was a majority report and a minority report. In the majority report which had been signed by the present Home Member among others, who was then a non-official, it was stated that the cases under the preventive sections of the Criminal Procedure Code should continue to be tried as at present, while the minority suggested that even such cases should be taken away from the purview of the collectors. I do not know what the decision of the Local Government was on the report of this committee; I do not know whether they accepted the recommendations of the majority or whether they accepted the recommendations of the minority, but I am led to make an inference from the very significant circumstance in which the present Finance Member made a statement in 1923 when speaking on this question in the course of the budget debate. He then said, on March 6, 1923, that this was a subject for which the reserved half of the Government alone was responsible. His exact words

were :—"Ours is the sole responsibility." This shows that at the time when that decision had been arrived at by the Government neither Mr. Chintamani nor Pandit Jagat Narayan, who were still members of the Government, had been consulted, as had been done earlier. When that declaration was made, it became obvious to all that, so far as that decision was concerned, the Local Government had preferred to adopt the recommendations of the majority instead of the minority. Otherwise, there was no necessity of emphasizing that "ours is the responsibility." I therefore put a direct question to the Hon'ble the Home Member, whether the recommendations of the minority were taken into consideration or not; whether in the scheme which they had prepared and submitted to the Government of India for consideration they have suggested that all cases under the preventive sections should be tried not by Collectors or their deputies but by judges; not by revenue officers but by judicial officers. Now we are told, Sir, that the question is under the consideration of the Secretary of State for India. Sir Pherozeshah Mehta said that in the rarefied atmosphere of Simla the period of the consideration would be more than two years. From the few facts which I have mentioned, I believe the House will agree with me in thinking that the period of two years in the rarefied atmosphere of Simla is not two years but 140 years and an assurance has been given by our Governor-designate that the rate of progress in the future will not be less rapid than what it was in the past. It appears that we shall have to wait at least for another 140 years for the introduction of this reform. Therefore, I request the Government, and that is the object with which this resolution has been brought forward in this Council, to convey most respectfully to the Secretary of State for India the fact that we are anxious for the introduction of this reform as early as possible; the sooner the better. We further want them to associate themselves with this demand. If they do so they will have done their part. But I wonder whether they will do so. If the whole Government—the reserved and the transferred parts of the Government together—could not succeed in getting this reform through, what hope is there now when the reserved half alone claims the responsibility for this and when the Ministers are not consulted on any important question, but are only utilized to be sent out on vote-catching expeditions whenever the reserved half may be in need of more votes. Sir, while these reforms have been waiting, while this demand has not been acceded to during the last 140 years, what has been the result? I do not want to mention petty cases, although their number is very large and I am sure that the majority of the members of this House know them fairly well. I cannot refrain from referring to one of the most important cases in this connexion. Who amongst us does not remember the case of Babu Bhagwan Das in 1921? He was tried under section 107. For what? The Prince of Wales was to visit Benares on December 13, 1921. A day previous to that a notice had been circulated over the signature of Babu Bhagwan Das along with those of others asking the people of Benares to observe *hartal*. The Prince of Wales went there on December 13, 1921, and left Benares the same day and there was no disturbance whatsoever. On the 15th, Babu Bhagwan Das was arrested, produced before the Magistrate and convicted for one year under section 107. What for? Because in the opinion of the Magistrate there

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was an apprehension of the breach of the peace which did not occur. The Prince of Wales had been there and nothing had taken place; the apprehension which might have been entertained in certain quarters did not materialize but he was sent to jail all the same. So gross an act of illegality was perpetrated.

The Hon'ble Sir Sam O'Donnell : On a point of order, Sir. Is not the honourable member reflecting on the conduct of the courts of justice?

The Deputy President : The honourable member may continue. I understood him to refer to the case to point out the evil of the combination of judicial and executive functions.

The Hon'ble Sir Sam O'Donnell : The honourable member said that a gross illegality was committed by a particular court. That is a reflection on that particular court.

The Deputy President : If the honourable member referred to a particular court he is out of order. But if he quotes a particular instance to illustrate the miscarriage of justice due to the combination of judicial and executive functions, he is not.

Pandit Venkatesh Narayan Tivary : I am referring to the system under which the trial took place.

The Deputy President : That is what I understood the honourable member to point out.

Pandit Venkatesh Narayan Tivary : This case is known to most of us—one of the most respected citizens of these provinces, a saintly man, one who combines in himself the best that is in the culture either of the East or of the West had been convicted on such a frivolous charge and sent to jail for one year. What was the result? As soon as the matter was brought to the notice of the higher authorities, I do not know whether it was done at the instance of the Government of India or whether the Local Government did it of their own accord, be that as it may, action was taken and Babu Bhagwan Das was released after seven or eight weeks' confinement in jail. What has been the result? Mr. Darwin, then Collector of Benares, has had uninterrupted flow of promotion and today he occupies the place of Deputy Secretary to Government. I want to make it clear that I do not wish to cast any reflection on any individual officer in any way. I only refer to the system under which such gross abuses of law are possible. I therefore hope that this resolution will be carried unanimously.

Khan Bahadur Hafiz Hidayat Husain : This old subject has been discussed so repeatedly and so very threadbare that it seems to me futile to traverse the same ground that has been covered over and over again. I need not refer to the history of the subject before the Reforms were introduced, but after the Reforms the position taken up by the Government of these provinces has been one of acceptance of the principle of separation of the judicial from the executive. Mr. Chintamani, who was then Minister of Education, replying on behalf of Government to a similar resolution said, in the spring of 1921, that the Government did accept the principle, but this acceptance has so far remained on paper and has not been translated in any wise into action so far. As I said, to trace the history of this vexed question is itself a vexed matter, the

outstanding fact being the insistent and persistent demand of the people of these provinces for the separation of judicial and executive functions. The Government however remain obdurate. In 1924 when the Stamp Bill was being introduced by the Finance Member he said that he wanted this Bill to pass because the extra money that the Government would thereby get would be utilized for giving effect to the scheme of separation of judicial and executive functions. I do not know, Sir, what the Government did with the money that they got, but certainly no steps were taken to achieve the object for which the Bill was professedly introduced. The defects of the present system are patent and obvious. The anomaly in the administration of the preventive sections of the Criminal Procedure Code has been adverted to by my friend the mover of the resolution. For an example, even to-day, Sir, in answer to my question No. 137 the Hon'ble the Finance Member said that the reasons which led the District Magistrate of Fatehpur to issue orders under section 107 against a certain individual who wanted to exercise his religious rights were that the District Magistrate apprehended a breach of the peace. Well, Sir, the Government is justified in reasonably apprehending a breach of the peace in these unfortunate days when communal tension is so severe. But the moral of the incident remains that if the same person combines in him the functions of the executive and judiciary the just rights of the people can be trampled under foot at any time. Is it not the duty of the Government to protect the rights of the individuals before it assumes the function of preventing persons from exercising their rights? It seems to me, Sir, that the great defect in this combination is that the executive can prevent the due exercise of the rights of an individual.

Then, Sir, in reply to repeated questions and resolutions on the subject it has been equally repeatedly stated by the Government that the proceedings of this Council on this subject have been forwarded to the Government of India. But we were never informed of the reply of the Government of India, whether the Government of India have at all heeded the representations made by this Government. In the absence of this communication, are we to understand that the voice of the accredited representatives of the people of these provinces is a cry in the wilderness as far as the Government of India or the Secretary of State for India are concerned? If that be so, I for one really cannot realize the usefulness of the Reforms. I would expect that in reply to this resolution which has been so forcefully moved by my friend the member for Allahabad (rural), the Hon'ble the Home Member will at least give us the result of the representations which this Government has made to the Government of India. He will also be able to say what the latest reply of the Government of India is. He may also tell us what steps he has taken so far to translate the policy of this Government into action; that is, what is the skeleton of the scheme for these provinces. He may also tell us whether the money realized under the Stamp and Court Fees Acts, which were passed over three years ago on the understanding that the money thus raised will be utilized to effectuate the scheme for the separation of judicial and executive functions, has been so utilized or not. I think, Sir, that it is due to this Council that the Hon'ble the Home Member should place his cards before us: if he were to withhold that information I will assume that the voice of the people strikes no chord in the counsels of this Government or in that of the Government of India.

Babu Shyam Lal : The resolution has been so ably moved by my friend Pandit Venkatesh Narain Tivary that I think it would have sufficed as a thesis for the Degree of Doctorate on the history of the separation of the judicial from executive functions. My only justification for standing up and giving expression to my own views is that from my experience both on the bench and at the bar I think that the present arrangement is nothing but a farcé. It is well summed up in the following couplet :—

تم هي قائل تم هي شاهد تم هي قاضي صاحب
اترہا میڑے کریں خون کا دعویٰ کس پر

If human nature continues to be human nature as it is, it is impossible for a person who is responsible for the peaceful administration of a subdivision or of a district to sit and impartially decide cases coming up from that very district. The Government turned a deaf ear to our demand from the very beginning, but after a short time they adopted a policy of least resistance which could be characterized as a policy of procrastination. In other words, the matter is under consideration. If I could borrow a simile from mathematics, I should like to say that every step taken by the Government towards doing away outwardly with this nefarious scheme, but really adding to its dilatoriness, could be represented by a series of geometrical progression in which each succeeding term is increased by its predecessor by the square of procrastination. Fortunately, we have got an Indian Home Member, and I am sure, if the below-zero temperature of officialdom has not frozen the blood in his veins, that he will do his level best to help us in this object, but if he sticks to his old policy, it is indeed very much to be regretted. I may say about this policy of procrastination—

وعدہ کر کے بت سفاک مگر جاتا ہی * یہہ تیرا طرز عمل ہم یہ ستم دھاتا ہی

I would, therefore, appeal to him to help us as an Indian, and if he does not, then I would only say—

دست خواہم زن بدامان چتھاری ررز حشر
کہ او حقوق ما غریبان خون ناحق کردہ است

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : After the eloquent speech and the lucid survey of the history of this reform by the honourable mover of the resolution, I need not inflict a lengthy speech on the House. Suffice it to say, as was mentioned by the honourable mover, that a committee was appointed by the Government some time ago, on which I too had the honour of serving. That committee submitted its report to the local Government, and my views on the subject can best be ascertained by a perusal of the report. Then, certain proposals were made, which were submitted to the Government of India. I am not in a position to say whether the Government then in power decided to accept the majority or the minority report, but as the Council is aware, the proposals of the local Government were sent to the Government of India. Reminders were also sent. The last reply was received by us as late as the beginning of this year. Lately Mr. Kunzru put a supplementary question in the Legislative Assembly, to which the Home Member of the Government of India replied :—"As

I explained, the Government of India are about to address the Secretary of State on this point". It will appear, therefore, that the Government of India have either addressed the Secretary of State already or will do so shortly. It remains for us only to wait and see what the result is.

During the debate I noticed with interest that my friend, the honourable member for Cawnpore, spoke very feelingly on the resolution. I wonder what the reason for it is. It may be due to the fact that during the last thirty years of his life, when he combined in himself the functions of both an executive and judicial officer, there were occasions when his conscience pricked him. However, I beg to assure this House that, as far as this Government is concerned, we have sent up our proposals and we can do nothing but await the decision of the Secretary of State about these proposals.

Pandit Bhagwat Narayan Bhargava: I do not rise either to relate the history of the question of the separation of the executive and judicial functions nor do I wish to narrate the abuses of the combination of these two branches. What I wish to bring to the notice of the honourable members of this House is this, that if the Government is still and so long has been obstinate in not taking proper action in this direction, the obstinacy of the Government is responsible for the unhappy state of affairs.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: May I ask which Government?

Pandit Bhagwat Narayan Bhargava: The Government to which my friend the Hon'ble the Home Member belongs. Well, Sir, just as in the opinion of the Hon'ble the Home Member the member for Cawnpore is being troubled on account of his actions when he was working as a judicial and executive officer combined, I would warn my friend who is there in charge of this department to be careful that when he makes over charge of his office, his own conscience may not similarly be troubled. I think, Sir, that from his own opinion which he expressed, he will take a lesson and will do his level best to expedite the matter. Sir, this question has been before this House on so many occasions that I think there has been no other question which has come up before this Council so many times. But the fact is that the Government does not attach much importance to the decisions of this Council. This is one of the numerous instances of the callousness of the Government. Even today during questions time we found that in answer to a question my friend the Hon'ble the Home Member said that he did not want to take any action on the resolution of Raja Raghuraj Singh. There have been several occasions when the Government did not care in the least for the resolutions of this Council.

There was a resolution about the appointment of advisory committees. There were several other resolutions which have met with a similar fate. So I submit that this question is one of the numerous instances of the fact that the Government has been flouting the opinion of the people. Sir, when we were boycotting the Council, when we were saying that this Council is a mere farce, we were accused of so many things. Now the Government itself treats this Council as a farce. Government regards the Reforms as a sham. The Government has taken upon itself the responsibility of playing the part of the non-co-operators. Simply reminders are not sufficient. I personally do not think that the Government has been

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doing its duty. The Hon'ble the Home Member said that the last reminder was sent early this year. So only reminders have been sent. But in answer to a certain question last year or year before last, it was said that this Government was not in a position to send reminders to the Government of India. Well, Sir, I have also read the questions and answers of the Assembly to which my honourable friend has just referred. There too I have seen that the Government of India has been saying they were waiting for the opinions of the local Governments, while on the other hand not only this Government but other local Governments also have been saying that they have not yet received any reply from the Government of India. So nobody appears to be very keen about arriving at any decision in this matter. Well, Sir, as I said a few minutes ago, this Government has proved by its actions that it regards the reforms as a mere sham. I would request my friend the Hon'ble the Home Member to take upon himself the responsibility of seeing that at least this reform—I mean the separation of judicial and executive functions—is introduced if he is himself convinced of the utility and urgency of the reform, that it is due to us and it ought to have been given to us long ago. I think he should as an honourable member of this House vacate those benches and come over to this side as a protest, if he thinks that the Government of India does not agree to the request of this Government of which he himself is an honourable member. If the Government of India does not send on our representations to the Secretary of State, I think that it will be in the fitness of things for the Home Member to resign, so that after he makes over charge he may not have to repent for his actions and his conscience may not be troubled. Therefore he should as a protest join our benches and then lodge a protest against the Government of India as well as this Government.

During the above speech the Hon'ble the President resumed the Chair.

Khan Bahadur Maulvi Fasih-ud-din: Here is another retired Magistrate, who, like his predecessor Mr. Shyam Lal, gives his unstinted support to this resolution. He is not troubled by his conscience that he has ever done anything against justice. But, had it not been for the atmosphere which was brought about on account of the combination of executive and judicial functions, he would have gained a better distinction in service than he actually did. The arrangement by which the performance of judicial and executive functions is entrusted to one and the same officer is undoubtedly unsatisfactory and objectionable. It is not too much to say that it is a remnant of the old cavalier methods of the dispensation of justice and the wonder is that it has outlasted one and a half centuries of the British rule in India. One consolation that we have in this connexion is this—that this Government has accepted the principle of separation. Thanks to the efforts of the late Home Member, the Maharaja Sahib of Mahmudabad, and the then two Ministers, the United Provinces Government admitted, as soon as the question was brought before the first reformed Council, that it realized the necessity of the separation of judicial and executive functions, and, as has already been stated, it not only admitted this principle, but it formed a strong committee including the Hon'ble the present Home Member who then sat cross-benches. The committee, after a deliberate consideration of the case, brought out a report which it is said was sent by this committee with its opinion to the Government of India. But, as we

know, five years have passed and still the scheme is hanging fire. It appears that, as it were, it lies on the hands of the conscience-keepers of the Imperial Government like a hot potato which they cannot either swallow or drop. I think that if the Government is genuinely sincere, is genuinely anxious to fulfil the pledge which it gave it is up to the Government to press the Government of India to put into action its recommendations, and if the present the Hon'ble the Home Member is a consistent politician—and I am sure that he is so—he will do his level best to bring about the separation, at least in these provinces, at a very early stage. Sir, I need not go into the merits of the question itself, because after this declaration of the United Provinces Government it is futile to discuss this question on its merits. But I must submit that justice, pure and unalloyed, ought to be a source of pride to every Government which lays any claim to civilization, not to speak of the British Government. I do not in the least blame the district officers, most of whom belong to a service which has got a world-wide reputation for efficiency and integrity, but the very atmosphere that is created by the system of the combination of judicial and executive functions makes it impossible for any district officer, especially when he is not above the feelings of humanity, to look beyond the mentality of an executive officer. He is generally afflicted by the atmosphere of a pernicious system and he cannot help it. It is not his fault. It is therefore as a matter of principle that the sooner this system is done away with, the better it will be not only for the people of this country but for the prestige of the Government also.

Rai Bahadur Chaudhri Jagannath Prasad: After the short and sweet speech of the Hon'ble the Home Member, it is useless to say and needless to assert that it is just and proper for the Government to do this. It is so admitted not only by the present Home Member, but, I think by all concerned with the right and just administration of the country. What I wish to impress today is this, that it is also the popular belief of the province and of the country that the Government is intentionally delaying this reform in order to find an excuse not to introduce it. If the British Government likes to be popular as it ought to be, it must be ready and willing to carry out the reform which the Government admit ought to have been carried out long ago. The remark of the Hon'ble the Home Member about the nonhonourable member for Cawnpore, has to be replied to. He is my cousin, and I know how and why he retired from the service. I think most of the members in this House know that he is a very old man, that he has got landed property of his own and can live without Government service. He joined the Government service in the belief that it was an honourable and respectable thing to do. I remember in those days when I was in the Canning College he became very thin and lean, and he was so anxious to secure a post of deputy collector that he almost quarrelled with his father for not trying to get him the post. I think his ailment was due to this. He was very much pleased when he got the post, but when he discovered the atmosphere in which he had to work he thought the sooner he left the service the better. He was not allowed peace of mind because he was a man who would never like to do anything against his conscience. He tried to secure a pension of whatever amount it may be. He was a man who worked day and night. He had

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to leave Government service because he did not like the way in which administration of justice was carried on.

A member : How long ago ?

Rai Bahadur Chaudhri Jagannath Prasad : It is about 15 years ago.

He was transferred from one district to another. Why? Because he was not a safe man on the spot. I will give you another example which I know. Rai Bahadur Pandit Govind Prasad was deputy collector at Unao. Whenever I had the good fortune of appearing before him in a case and pointed out that it was a false case and that he must do justice, he always put his hand on his stomach and said :— "Go and secure the separation of judicial from the executive and then come to me and ask for justice" I can cite all the lawyers of Unao who were then practising in support of this. Therefore, what is wanted at the moment is not bare sympathetic words from the Hon'ble the Home Member. What is needed at the moment is that the honourable the Home member should try his utmost to have the credit of saying that during his term of office there was the separation of judicial from the executive functions. Sweet words do not satisfy the stomach. Therefore I say that if the Hon'ble the Home Member, and other persons responsible for the administration of the country, believe in their heart of hearts that it is a just reform to be carried out and they do not do it, they should understand that we will be losing faith in the administration of the British Government. Only a reminder would not do. We have seen that the reminders had no effect on the Government of India, but I think it is the nature of the reminder which matters in order that it should be effective. The Hon'ble the Home Member should say to the Government of India that if this reform is not given there will be more and more agitation in time to come and all Indians would lose faith in the administration of justice by the British Government. Certainly we can be treated in any way the Government likes, we have simply to beg and request the Government as we are not in a position to say anything more. Our words may not be so emphatic or forcible, but in order to satisfy public demand it is just and proper that the Government should carry it out; otherwise we will not rest till we get it.

Raja Shambhu Dayal moved for the closure.

Question, that the question be now put, put and agreed to.

Pandit Venkatesh Narayan Tivary : I am obliged to the Hon'ble the Home Member for the very kind references which he was pleased to make about me, but so far as the nature of his reply is concerned I must confess that I am disappointed. I put a pointed question to him whether the scheme which has been sent up by this Government to the Government of India suggested that the cases under preventive sections should be tried by judicial officers or not. His one reply to that was : "My views are best represented by that report." I have already said that his views at that time when he was a member of that Committee are known to me as well as to the Council. I wanted to know whether there has been any change in his views in this matter or whether there has been any change in the views of the Government which he represents

so ably. Well, the nature of his reply reminds me of what he was pleased to state in this House once. He on that occasion said "one lives to learn." Evidently this does not apply to his case. His case appears to be one of those pathetic cases in which though knowledge grows yet wisdom lingers. Why has this reform been delayed so long? My friend, the member for Unao, put the case very pointedly when he said that this reform was not introduced because of administrative considerations. His remark reminds me of what appears to be the feeling among the members of the steel-frame. If they talk to you with candour and with frankness, they have not the slightest hesitation in saying something to this effect: "To acquiesce in the introduction of this reform is like an invitation to commit suicide. I refuse to accept that invitation." I therefore once again request the Hon'ble the Home Member to persuade the Governor in Council to send a representation to the Government of India and to the Secretary of State requesting them to expedite the consideration of this question. The matter has been under consideration for a very long time. As I said the matter has been under consideration for nearly 150 years. It is time that the reform was introduced now without any further delay, and I hope that to this modest request the Local Government will accede. With these words I once again commend my resolution to the unanimous support of this House.

The resolution was put and adopted.

RESOLUTION *re* ELIGIBILITY OF WOMEN FOR MEMBERSHIP OF THE
LEGISLATIVE COUNCIL.

Mr. Mukandi Lal : I beg to move—

That this Council recommends to the Government that sex disqualification as regards the election and nomination of members to the United Provinces Legislative Council be removed, so that women shall be eligible for election or nomination to the said Council.

Mrs. Cousins in her book on "the awakening of Asian Womanhood" has observed that there is an awakening in the East among the women. The first woman ambassador is appointed by an eastern nation. Again it is an Asiatic nation, a Muslim country, that has appointed the first woman minister. I am referring to Turkey as regards the Ministership and to Armenia for the ambassadorship. Mrs. Cousins in her book states that everywhere there is a shaking off of shackles and everywhere it is from within that the effort comes to get rid of these shackles. This remark of Mrs. Cousins was never more appropriate than it is this afternoon in this Council. The motion for closure from Raja Shambhu Dayal (and I am grateful to him for it) indicates that the craving for the breaking of the shackles of our womenfolk has come from within; and there is not the slightest doubt in my mind that this Council will unanimously vote for this resolution.

The genesis of this movement for enfranchising women and allowing them to stand for election to the Council or to secure seats by nomination begins from the time the Montford report was published. It was contemplated in the Montford report that all the "electoral architecture must inevitably be experimental and will need modification and modification from time to time." It was left to the Indian legislatures and the Commissions to be appointed by the Government, to revise the standard of voting and the right of sitting in the legislatures. It was also contemplated in the Montford report that a Commission would sit and decide as to the qualifications of voters and the rights of the people to sit in the legislatures, and it was in pursuance of the opinion of the Montford report that the Franchise Committee was

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appointed and that Franchise Committee obtained a very vast volume of public opinion. Deputations of Indian ladies came to that Commission and urged upon them the necessity of giving the franchise to the women and making women eligible to the Council. They say :—“ We received numerous petitions from women of the educated classes urging the cause of female suffrage; more than one lady appeared before us to support the view; several political associations urged the same cause.” As to the matter of giving them the right of sitting in the legislatures it was suggested by the Franchise Committee that in future the Indian legislatures and the Government of the country should give their opinion as to whether they would like to give their women the right to stand for election to the Council in their various legislatures. But one of the Commissioners, Mr. Hogg, was of opinion that as “ no strong opposition to it was revealed by the evidence it was advisable to remove the sex disqualification at the outset of the development of responsible Government in India.”

Similarly, when the question came before the Muddiman Committee, they also took the same view. They say :—“ We received a deputation of ladies who urged their case upon us with much skill.” They admitted the claim of women and left it to us (the legislatures) to pass resolutions to remove the bar.

I have not come across any country yet where there is any difference between the power of voting and the right to sit in the legislature, but curiously enough so far as our constitution is concerned; the rule-makers were of opinion that to have a voice as to whom you are going to send to the legislature does not necessarily give a right to sit in the legislature. That was the opinion of our rule-makers, the rulers. However, taking this as the dictum, the Muddiman Committee came to the conclusion that it should be left now to the various local legislatures and the Assembly to give their opinions, which they can do by giving one month's notice, as to whether they would like women at all to stand for election and whether they would make them eligible for nomination. In pursuance of that decision of the Muddiman Committee the Assam Council passed a resolution in September, 1924, which enables women of that province to sit in the Legislative Council of Assam. Madras on July 17, 1927, passed a resolution to the same effect. Bombay on August 6, 1926, passed a similar resolution. The Assembly also did the same thing on September 1, 1926, enabling women to offer themselves for the Legislative Assembly. Similarly, the Punjab passed a resolution in 1926 and the Central Provinces in March, 1927. In Bengal such a resolution was tabled twice, but unfortunately the agenda was too long and the resolution was not reached.

However, today, by your kindness and by the kindness of the honourable members of this House I have got this opportunity of introducing my resolution. I say kindness and I may add luck as well, because, if the speeches on the question of separation of executive and judicial functions had been too long. I would not have got this opportunity. On the other hand, if the speeches of Mr. Twary's resolution were too short my resolution might have been reached when I was in the chair and I would not have been able to move it. Again, I have to thank you, Sir, that you came so early to the chair and relieved me and it is thus I find myself on the

floor of this House and I have the good fortune of moving this resolution.

Sir, I am not superstitious. But sometimes I cannot help being guided by good or bad omens. I have had a good omen from the very beginning in regard to this resolution, and I hope my resolution will meet with the same fate as the previous resolution which the House passed unanimously.

My friend, Mr Gurtu, moved a resolution in the first reformed Council about the grant of franchise to women. Today this resolution is a logical result of the same, which was passed unanimously on February 1, 1923. I would like to give a few reasons for giving women the right of sitting in the Legislature or making them eligible for nomination. Well, I could give social, economic and national reasons, but the time at my disposal is short, so I will mainly deal with this question from the political point of view; I will give only political reasons for which they should be allowed to sit in the various Legislatures, and particularly in the Legislative Council of the United Provinces.

Sir, the view of the modern political philosophers is accepted that Government must be by the people and for the good of the people. So far as the principle, that Government must be for the good of the people is concerned, it was admitted even by the greatest despots. Even the Indian kings professed that they were servants of the people and the taxes and revenue they took from the subjects was the remuneration for the protection and services rendered to the people. The exact word used in Sanskrit is "vetan," which means wages. The ancient monarchs considered themselves servants of the people. So far as the question of the voice of the people is concerned, even in the states of ancient Greece and in the Swiss cantons of mediaeval times, the opinion of every citizen was taken at a common meeting place. And every citizen had a right and opportunity to make the laws and influence the administration. But in modern times the states are so very large that it is not possible for every individual to come forth and give his views as regards state matters; therefore, the representative system has been introduced. Now this system means that every section of the society must have a say in the making of laws, imposing taxation and carrying on the administration of the country. If we do not allow our women to have a voice in the various matters that come up before the Legislatures, we are practically depriving half the population of this province from expressing its views on state matters. We know that there are different types of political institutions in various countries and there is bound to be a difference of opinion about them as to which is the best: we may think that administration is not good and that this is better, but we must admit that we have to make a choice from among these new institutions—you may call them European institutions, I call them modern institutions. European or American, they are all modern institutions all the same. If we act on the principle laid down by that great apostle of freedom, John Stuart Mill, that the best form of government is that which provides equal opportunities to all persons for the development of all talents and character available in the society, we must allow our women to develop their character and talents and

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express their views on state affairs. Similarly, I may remind you that one of the greatest statesmen of Great Britain, Mr. Gladstone, has said that all who live in a country should take an interest in that country, love that country, and the vote gives that sense of interest to foster that love. That is to say, the franchise will inspire confidence and love in the people and will make them realize that they owe a duty to themselves and to the society who returns them to the Legislatures, and unless we give our women this opportunity to sit in this Council, we are doing a great injustice to society.

We know that there has been a great deal of agitation for the enfranchisement of women in England. The movement met with strong opposition. It was for the first time in the last quarter of the eighteenth century that the cry for the women suffrage movement was started by Mary Wollstonecraft. It was a matter of accident that at that very time a great philosopher of France—Condorcet—also advocated the cause of women, but it remained a dead letter; it was a sort of cry in the wilderness. We also know that the cause of women was advocated in 1850 by John Stuart Mill. In 1892 Mr. Rollit introduced a Bill in Parliament and the Liberal Party at that time issued a circular to their candidates not to allow liberal women to speak on their platforms lest they should advocate female suffrage. Such was the prejudice against women coming to the House of Commons and exercising their right of vote. But let it be noted that it was the women of England who fought for it. The women of our country have not got to fight for their rights, but it is we men who are doing so. But in England from 1906 to 1918, for full twelve years, a constant fight was carried on by the women to acquire the right of coming to the House of Commons and to elect their rulers. I will tell you now how that power was acquired by them. They sacrificed themselves on the race-courses. There have been cases where women have caught hold of race horses with a view to create a sensation and draw the attention of the male members of the society to the fact that women were so desperate in acquiring the right of entering the House of Commons that they were prepared to give their lives. We know that Mr. Lloyd George and other Ministers were whipped and slapped by suffragettes during those days. But British mentality is very curious. They did not listen to the arguments of women at that time; they did not appreciate their sacrifice; but when the Great War came, they saw the services rendered by the women in Flanders, in France and other theatres of war. The great opponents of women's rights, Mr. Asquith, Lord Curzon and Mr. Chamberlain, all of a sudden in 1918 and 1919 became converts to the cult of women suffrage, and in 1919 a Bill was passed by the House of Commons which gave the women the right to go to the House of Commons. To achieve such political ends it is necessary to create public opinion. Such public opinion was created by great political thinkers like Professor Dicey. It was this public opinion which enabled the women of England to win their battle; and we find today four women sitting in Parliament. We do not expect that all the women who will enter into the Legislatures will be radicals or swrajists. As a matter of fact, my experience shows—and that is what I find in the political institutions of the various countries—that women, by nature, are conservative. Therefore the members of this House need not apprehend that if once

women get an opportunity of coming to this House, they will be radicals or swarajists. But we cannot forget that there is something like a fundamental human principle on which all political institutions are based.

I was going to say that with a view to win political rights and establish political institutions public opinion has got to be created for them. In Great Britain the movement was helped by the great political thinkers of England, men like Professor Dicey, who said about this question :—

“ Under a representative Government any considerable body of persons who are not represented in Parliament is exposed at best to neglect. In a country such as England the views of the unrepresented are overlooked far less through selfishness than through the stupidity or preoccupation of the voters and their representatives. . . . Nor can any impartial critic maintain that, even at the present day, the desires of women about matters in which they are vitally concerned obtain from Parliament all the attention they deserve.”

That is to say, Professor Dicey means to say that this principle of giving women the right to come to the legislatures must be based on the fact that it is meant to give them political power and to place in their hands political weapons, so that justice can be done to them.

It may be said that the women in the East are purdah-ridden; they are backward and therefore it is not possible that the women of India in general, and of this province in particular, will be able to exercise this right. In this respect I would like to remind the House that signs of awakening are visible everywhere. In China we know that the women are working for the uplift of the nation and for the freedom of their country. In Turkey, in Persia and in Afghanistan this progress is going on. If we look to the History of India and that of the neighbouring country of Egypt, we can find numerous instances where women have distinguished themselves in various spheres of life. We know how much work Madame Zaglul Pasha did for the freedom of Egypt. So far as we Indians are concerned, we are not opposed to women exercising political power. Sir, you must be aware that twice women have presided over the Congress, Mrs. Besant and Mrs. Naidu have been two of its distinguished presidents. The other day Mrs. Rao presided at a provincial political conference. The Muslim League and the Congress made a joint request to the Franchise Committee that the women should be enfranchised and allowed to sit in the Legislatures. We have had in the past also women rulers. I will remind you first of Razia Begam, the daughter of Altamash. Altamash had several sons, but he handed over the reins of administration to Razia Begam. There was another ruler in the South, Chand Bibi. Well, in our own days we find that the Begum of Bhopal has been a ruler; and for three generations it is the women who have ruled the State of Bhopal. These instances I have given for the information of those people who think that Islam gives inferior position to women. I assert that in Islam the highest position is given to women and there is no other law except Islamic law in which so much equality is given to the womenfolk. It is wrong to say that women are given an inferior position by Islam. In Islam daughters inherit equally with sons. In England it was in 1870 that the Women's Property Act was passed to enable women to own property.

[Mr. Mukandi Lal.]

Up to 1870 no woman could own property there. In the sixteenth century there is a case given that a man in Yorkshire exchanged his wife for a bullock. Now, let me turn to the Hindu society. During the time of Harsha his sister Rajsri was the power behind the throne. It was she who really administered the state; Harsha devoted most of his time to religious devotion and to Buddhism. Queen Dida was one of the greatest rulers in Kashmir. In modern times we know the cases of Rani of Jhansi and Mira Bai. Let me tell those people who think that in India women have always been held in subjection and that Indians do not respect their women, who are only to serve to their wants and look after their children, that that is not the view taken by the Hindu society. You have got to look to the Hindu society and the Muslim society at their best. True, we have passed through some bad times. But times have again changed. Now, when there is a craving for political power among our women, we find such distinguished ladies as Mrs. Sarojini Naidu and Sarla Devi and Mrs. Das in the political field. We know the case of the mother of Messrs. Muhammad Ali and Shaukat Ali; how she comes and takes part in the political deliberations. We know the case of Begam Hasrat Mohani; what a leading part she takes in the political field. It is a mistake to think that it is not suited to our social environments. History supports us and our political aspirations support us in the plea that our women should have power to come to the Legislatures. There are in this House 123 members, including a block of 23 men on the Government side and the nominated members, who, the Government think, are only to vote for them. I remember that in 1923 when Mr. Gurtu moved his motion about enfranchising women, the Hon'ble the Finance Member said that the Government would remain neutral and the nominated members would also remain neutral. This means that the nominated members are there only to vote for the Government and with the Government. At least on this occasion they may not entirely abstain from voting; it may be left to their free vote. My position is this. When the question of temperance comes, there the woman's voice would be a decisive factor. Then there is legislation regarding children. There also the woman's voice must count most. It is possible that only two or three may come in; it is also possible that they may not come in at all. In Madras a lady was nominated by the Governor and afterwards she became the Deputy President of the Council. I do not mind if any lady offers herself for this office. I am prepared to fight them. The whole question is—you must give them the right to fight. In sanitation it is the woman's voice that counts most. Then there is legislation regarding marriages; there also her voice counts most. There are other matters in which the woman's voice counts most. As a matter of fact there is no department of national activity in which women's opinion would not count most. We should have their view on every matter. Nobody expects that the minorities can defeat the majorities by votes. The principle is that the minorities should be able to give expression to their views, represent their interests. That is the principle on which minority representation is based. That is why the power of nomination is given to Government. It was in the Montford report that the power of nomination would be given with a view that the Legislature may have the opinion of the minorities. That is the principle.

though that power is misused by the Government. That is quite a different matter. However, if this resolution is passed, as I hope it will be, our women will say to us, the members of this Council, as was said on behalf of the Asiatic women in 1921 at Moscow by Tursum Baya, a member of the Executive Committee of the Soviet Republic of Turkestan: "The struggle of the Russian proletariat has opened the doors to the women of the East. We who have been the slaves of slaves are now entering a life of freedom. We join hands with you in a common cause." That is what our women will say.

That is not all. You have got to see the effect it will have on our whole society. And that will be the last point I will urge, because that is a very important thing, and I want my colleagues to realize what effect it will have on our society. It is said by Mr. Joseph Howes: "I conscientiously believe that women's influence in politics would be of an elevating and purifying nature. In Iceland we find a nation of seventy-three thousand people in which man and woman are in every respect, political equals, governed by representatives elected by men and women together. The future citizens are taught by their mothers, and in the whole island not a single illiterate is to be found, every child being able to read, write, and cypher by the time it has reached the age of seven. And these voting mothers who educate their own children have produced a nation in which there are no prisons, no police, no thieves, no enormously rich, no miserably poor: just a plain, temperate, chaste, educated and intelligent people."

Sir, there may be a time when we may be able to say the same thing after our women have been allowed to sit in our Legislatures.

The desire in our women to enter the legislative bodies has been expressed in an unequivocal manner several times and on many occasions. It may be urged that I am voicing only my own views. Now, let us see what the opinion of the ladies of the United Provinces is. At a meeting of the Prayag Mahila Samiti held on August 31, 1926, the following resolution was passed:—"That in view of the fact that the election rules of the Legislative Assembly and the Local Legislative Council do not allow for the representation of the women of these provinces, and in view of the fact that no legislative body which excludes women can be deemed to be truly representative of the nation and because an extension of such rights is necessary in the best interests of the country this meeting therefore while expressing its regret that no steps have been taken yet to remedy this serious defect in representation calls upon the members of both the aforesaid bodies to bring about the necessary modification in the rules." That is the opinion of the women of our provinces. Now, let us see what the opinion of the aristocratic women of our country is on this question. Here I will quote only one sentence from the address of the Maharani of Baroda. While presiding over the All-India Women's Conference on educational reform, she said:—"A conference such as this, a conference of educated women, a conference which knows that already women have some degree of franchise in this country, a conference which knows that already there are women upon political bodies, such a conference must at least register its emphatic opinion that women should not only be able to hold property in their own right, but have their due claim on the property of the family."

[Mr. Mukandi Lal.]

In the opinion of Lady Marguerite Rathcreedan: "It needs the clarified mind of women to disentangle the mess. Armed with finer faculties, a keen and highly intuitive insight and an intense righteous indignation she will bring added zeal to the ultimate solving of our many national problems." "Women influence and power can best be exercised through politics." She said in an article on "woman's political powers": "Through politics alone will she be able fully to realize the great creative force of her ideals. She is a natural idealist, more self-sacrificing for the race than man, she is the new psychic centre of our natural life... Her political mind is as yet virgin, unfettered by the age-long traditional limitations which for centuries have blinded the better instincts and imaginations of men. Now is the time for her to bring into politics her clarified vision, unhesitating courage and fearless, analytical mind in broadcasting real policies of sane construction."

What I am asking this Council is to accept what has been accepted by practically all the modern constitutions, barring those of Italy, France and Germany. See the map of Europe from 1907 onwards. Almost every small state has placed its women on the legislatures. Almost all the states in the United States of America have their women eligible for the legislature. Therefore I commend this resolution to this honourable House. If you are prepared to follow the political institutions of Western countries, if you want to fight for your freedom, if you want to control your finances, you have to give your support to this resolution.

The Hon'ble Sir Sam O'Donnell: Honourable members will doubtless remember that the Joint Parliamentary Committee on the Government of India Bill recommended that the question whether the franchise should be extended to women should be left to be decided in accordance with the wishes of Indians, constitutionally expressed. Accordingly when a resolution was moved proposing such an extension, the official members took no part either in voting or discussion. It appears to us that the same principle applies to this proposal also. Accordingly official members will not take part in the voting or discussion on this resolution. The honourable member who has moved this resolution is under a misapprehension when he said that the nominated non-official members on the last occasion did not take part in the voting. They, of course, are free to do exactly as they choose. It is only the official members who will neither vote nor take part in the discussion. I do not think that the honourable member for Garhwal need be under apprehension however, as, unless I am much mistaken, his resolution will not meet with serious opposition.

Raja Shambhu Dayal :

جناب پریسڈنٹ صاحب —

یہ معاملہ تو بہت دور افا چرخہ ہی میں اس کونسل میں اس کو دیکھتا ہوں اور اس سے پچھلی کونسل میں بھی اس کے آرڈر بحث ہوئی اب اس پر زیادہ مباحثہ کی ضرورت نہیں معلوم ہوتی اب زیادہ تر ممبر صاحبان کونسل کو دیتی پریسڈنٹ صاحب کے رزولوشن کے سنیے کے منتظر ہیں *

The Hon'ble the President :

کیا آپ بحث کی بندی کی انحریک کرتے ہیں یعنی کیا Closure موثر کرتے ہیں ؟

Raja Shambhu Dayal :

جی ہاں

Khan Bahadur Mr. Masud-ul-Hasan : The resolution that has been moved by my friend, Mr. Mukandi Lal, so ably and with a long sermon on the rights of females, will, I am sure, be acceptable to every member of the House. India is a country where women have won a very great name for themselves. The proverb that every quarrel in this country starts on *far, 'zan* and *zamin* should not be forgotten. I fear the resolution of my learned friend does not go very far. It only gives them the right of franchise. My friend does not say how many seats they are to get in the Council. This point he ought to have considered before he brought forward this resolution. I am afraid that if no seats are specially reserved for ladies, it may happen that men in a chivalrous spirit might withdraw from the election contest and thus the whole House will be captured by the fair sex. The effect on society of such a change will be very great. I am very glad to hear that my friend has thought it fit to suggest that among the nominated members there should be a few ladies. I as a nominated member welcome this suggestion. If the franchise is to be extended, as I hope it will be the result will be that there may be the same number of ladies in the House as possibly the males, and then the seating arrangements will have to be so made as to suit the pleasure and convenience of all the members of the House, so that everybody may be able to discuss with his female colleague sitting by his side the pros and cons of every question that may be debated on the floor of the House. The women should not only be given an equal representation in the Council, but they should have equality of rights in every sphere of life. In the matter of inheritance as also in social and military affairs they should have the same rights as men. When this ideal is achieved then it will be the happy day for the East. My friend has also discussed the question from its legal aspect, and has quoted some very good authorities in support of his arguments. It is a sad truth that so far the rights of females in the Indian society have been trampled under foot, and it would be in the fitness of things if this Council today would concede them their rights. There is one small matter, on which I am sure the Raja Sahib will throw light when he speaks, and which to my mind should not be overlooked. Who will look after the babies, if the women, specially the younger of them, come away to Council? This point I will leave to the future Commission and the Franchise Committee to investigate. They may be able to solve this difficult problem. So far as the resolution is concerned, I am whole-heartedly in favour of it, and I hope every member, whether elected or nominated, whether official or non-official, will lend his hearty support to it, which undoubtedly is very interesting and hope-inspiring.

Raja Shambu Dayal :

جناب پریسیڈنٹ صاحب۔

حضور نے خود ملاحظہ کیا ہوگا کہ آج نوجوانوں کی تحریک پر نہیں بلکہ میرے ضعیف دوست سید حبیب اللہ صاحب نے بھی مجھ سے فرمایا کہ ضرور اس رزلوشن پر ہولنا چاہیئے اور تائید کرنا چاہیئے اس وجہ سے میں بڑے زور کے ساتھ اس رزلوشن کی تائید کرتا ہوں *

The Hon'ble the President :

بڑے زور کے ساتھ ؟

Raja Shambu Dayal :

زور تو کیا یہاں اب صرف ایک زبانی جمع خرچ ہی - مجھے کوئی وجہ نہیں معلوم ہوتی کہ عورتوں اور مردوں کے درمیان کوئی فرق رکھا جائے بلحاظ تعلیم کے Mrs. Sarojini Naidu وغیرہ مروجہ ہیں - بہت سی تواریکیں رانی مہارانی کی ایسی موجد ہیں کہ لڑائی میں انہوں نے بھی بڑا حصہ لیا ہے - حال میں سرکس اور کثرت وغیرہ میں بھی حصہ لیتی ہیں - بلکہ منوں کا پتھر آنکھ میں دھرا باندھے کہ اٹھاتی ہیں - لہذا کوئی وجہ نہیں ہیں کہ عورتوں اور مردوں کے درمیان امتیاز کیا جاوے - بہت سی جگہ ایسی ہیں کہ مرد کسی نہ کسی قانونی ناقابلیت میں آتے ہیں - عورتوں کو کونسل میں جانے کا حق ہوگا تو ان کی ضروریات عورتیں پوری کریں گی اور ان کے ساتھ آئینگی - دنیا کے جتنے کام ہیں وہ عورتوں اور مردوں کے مشترک ہیں - یہ مردوں کی خون غرضی ہے کہ عورتوں کو بچہ کشی کی مشین بنا رکھا ہے اور کسی مصرف کا انہیں نہیں رکھا - کتنا اچھا ہوگا اگر عورتیں بھی کونسل میں آئیں گی - تو بہت سے قانون جو ان کے خلاف آجاتے ہیں ان کو وہ جیسا موقع ہوگا سمجھ کر ان کی تائید یا مخالفت کریں گی - کتنا اچھا ہوگا اگر اتفاق سے میاں بی بی دنوں کونسل میں آگئے تو دنوں مالک اپنے اغراض کو پورا کریں گے - کم از کم ایک دوت تو ان کو حاصل ہی ہوگا - ایک خاص بات یہ ہے کہ کونسل میں بعض بعض موقعوں پر رکاوٹ آ جاتی ہے - اگر کبھی میاں بی بی کے درمیان اختلاف ہو تو وہ نظارہ بھی یعنی باہم گتھم گتھا اور اختلاف کا ایک لطف کونسل میں پیدا کریگا - غرضیکہ بہت سے مضامین اس پر کہے جاسکتے ہیں لہذا میں اس سے زیادہ کہنا نہیں چاہتا یہ کافی ہے - ایسے پُرانے پُرانے اصحاب جیسے ہمارے دوست بابو شیام لال صاحب ہیں انہوں نے اُنہ کے مجھ سے فرمایا کہ آپ کو اس رزلوشن کو Support کرنا چاہیئے - اس House میں یہ بہت ہمت نہیں ہے کہ یہاں سے لوگ اختلاف کر کے جائیں اور گھر میں جا کر خیریت سے بیج جارہیں - ایک خاص بات مفید اور ہوگی کہ گورنمنٹ کو اس کی مخالفت میں ہولنا نہیں چاہیئے - اگر کاش رزلوشن پاس ہو گیا تو گورنمنٹ کو یہ موقع حاصل ہوگا کہ مردوں کے بجائے عورتوں کو نامزد کر دیا گیا تو میرے خیال میں یہ پارٹی میں شریک ہو جائیں گے لہذا میں اس کی تائید کرتا ہوں *

Nawabzada Muhammad Liaquat Ali Khan : I rise to give my whole-hearted support to the resolution that has been so ably moved by the chivalrous Deputy President. The hon'ble mover has spoken at great length on the subject and I do not think it requires a very elaborate discussion from me. I am sure if we had women members in this House to defend themselves, we would not have heard the speeches like those made by my friends the Khan Bahadur and the Raja Sahib. Sir, a resolution of this nature should have been brought in this House long before today. The Punjab, Bengal, Madras, and Bombay have all passed resolutions of this nature. Not only have they passed them, but they have given effect to them, and it is to our shame that an important province of India like ours should still retain that antiquated and old custom of not allowing women to enter the Legislature. Sir, it is beyond my comprehension to understand on what ground and for what constitutional reasons can anybody justify the present state of affairs—giving women a chance to vote, but debarring them from entering these doors. Equality of rights is the order of the day, and we in these provinces cannot afford to be left behind. We must flow with the tide if we want to make any progress. There might be some, and I think there are some, honourable members of this House who are under the misapprehension that if we had members of the fair sex sitting in these chairs serious thoughts might get entangled in the fringe of a skirt or the folds of a *saree*; but the experience that the other countries have had has proved that it is not the case. Since women have entered the Parliament of England, the deliberations of that House have improved because there is sympathy in them and the discussions in that House have not suffered in any way whatsoever. On the contrary, I think, if we have women as members of this House, the honourable members on the treasury benches will not lack in that quality which my honourable friend the member from Partabgarh so much desires, and so do all of us, I mean the quality of "sympathetic imagination."

I will not go into details of the past history to prove that women in India have not been behind the women of any other country. India has produced, as the honourable mover has said, women like Chand Bibi, Razia Sultana, the Ranee of Jhansi, and many others, and I cannot understand if an opportunity were given why we should not have more Chand Bibis and more Razias.

Some people might be under the misapprehension that the purdah, which is a social custom prevalent in this country, might be in the way of women taking an active part in the political and administrative life of this land. Let me at once put their minds at rest by not going into the past history to prove that this is not so, not going beyond the shores of India, but in our own times we have seen how a woman from behind the veil has ruled over her people for a number of years most wisely and most creditably. I mean the ex-Begum of Bhopal who has ruled over her people as well as any man prince in India and better than many.

Sir, I do not think there is much more to be said on the subject, as the honourable mover has dealt fully with it, and I hope when this resolution is passed, as it will be, the Government will take early steps to give effect to it as soon as possible.

Rai Bahadur Lala Jagdish Prasad : I rise to support this resolution. In fact I myself had given notice of a similar resolution but it has fallen to the lot of my honourable friend Mr. Mukandi Lal to move it before the House today. The question of giving the right to women of being elected and nominated as members of Legislatures is a very important one, and I think it is too late in the day now to deny this right to women who form such an important section of the society. They have been granted and are being granted political rights in other countries, and if India wishes to stand shoulder to shoulder with other democratic countries we should give this right to women so as to bring them on a par with men so far as political rights are concerned. I think that women are entitled to exercise and to enjoy political rights in the same way as men are enjoying, and it seems to me anomalous that half of our population should be debarred from every opportunity of taking part in legislation and for that reason in the deliberations of this Council. There are many questions coming up before this Council on which men alone are not capable of passing final judgement. On such questions the opinion of women would be more valuable if given directly by them. Our country is moving with the times; questions of social reform are becoming more and more important—such questions for instance as of marriage reform and others in which women are as much interested as men. We should therefore allow women to stand for election along with men, and let the electorate make their choice. Of course the resolution does not seek a fixed number of seats being provided for women; it only asks for a fair field and no favour. Former opposition has disappeared in other countries. In England, even before the franchise for women was won, they had to go through a terrible amount of agitation. But the eyes of all people are now opened by the great services that have been performed by women. Let history not repeat itself in India. In our country there is no dearth of educated ladies, and education is happily making headway among them. As has been pointed out by the learned mover of the resolution, the Legislative Assembly has removed the ban upon women becoming members of that Legislature and many provinces in India, as for example, Madras, Bombay, the Punjab and others, have already taken the lead in enfranchising women to seek election and nomination to their respective Legislative Councils. Let the United Provinces not lag behind. In our province, as has been referred to by the honourable mover, a representative meeting of the ladies of Allahabad has already passed a resolution urging the members of this Council to grant this concession to women. I hope we shall not be wanting in conceding their demand. Let us recognize the reasonableness and the force of the demand before it assumes gigantic proportions as it had done in other countries, and let us take action before it is too late. Let it not be said of this Council, as is said of the Government, that we concede a reform only when our hands are actually forced, and that by the time a certain reform is given effect to people begin to think that it is really not worth much.

I think I need not take up more time of the House by dwelling on this subject, as I hope that the proposition will readily commend itself to the honourable members of this Council.

Bai Bahadur Babu Mohan Lal : At this late hour no speech is required, but I stand up simply to support this resolution from this point of view that even men of orthodox class like myself support this resolution so that it may be known that people of all classes are for this resolution and that will carry greater weight. Now, in these days there is a tendency of raising the status of females in all societies, whether Hindus, Arya Samajists or any other community, and now that the right of voting has been given to the females, I do not see any reason why when women can vote, they should not be allowed to be members of the Legislature either by nomination or by election. There is a very strong claim for these females to become members on this ground also. Almost all the provinces have given this right to their females. Therefore it would be a slur on our Council if we did not concede this right to them as well. All the rights of the females have been fully discussed by the honourable mover of this resolution, and I do not want to dilate on that subject. I will simply add my opinion in favour of this resolution and commend to the House that they should pass it unanimously.

Thakur Manjit Singh Rathor : I move for the closure.

Question, that the question be now put, put and agreed to.

Mr. Mukandi Lal : I am grateful to the House for giving unanimous support to my resolution, and I am glad that the Government has not chosen to oppose it. So far as the neutrality of the Government is concerned, they knew it very well that if they wanted to oppose this resolution it was not in their power to defeat us. It is their old, old theory that in matters of social and religious legislation they abstain from voting. As a matter of fact I am prepared to say that the Government is wanting in its duty when it shrinks from bringing forward social legislation which is absolutely necessary for the uplift of society and for nation-building. But that is their business and I have no quarrel with them. I feared that nominated members might have some fears in their heart, as it has already been suggested that if women did not come in by competition, then there is just a chance that the Governor would nominate women instead of men, with the result that there will be fewer seats for nominated men. But luckily the nominated members have been chivalrous enough to support the motion. I do not want our women to depend on nominations. We want women to fight for their rights. I am only moving this resolution to give them an opportunity to do so.

It was pointed out by my friend Mr. Masud-ul-Hasan that we are only giving them an opportunity to come to this battle-field of politics, the political arena; he suggested that they should also have an opportunity of being soldiers. Well, I may point out to him that if women had not fought in the Great War, so far as Great Britain is concerned, I think they would not have got their franchise today. In Russia at least there was a great General who was a woman and remained up to the last day in disguise. From our ancient history we know that in Chandra Gupta's time there was an army of women; we know from the history of the Amazons also that there were women soldiers; we know from the Muslim history that women have been in the army and have taken the lead in the army. Now it remains only for me to thank the honourable members and you, Sir, for allowing me this opportunity. In concluding I may remind the House that as a reward for this

[Mr. Mukandi Lal.]

support a time will come when some future historian of India like Buckle will say of the influence of women in the national life and administration of the country: "On every side, in all social phenomena, in the education of children, in the tone and spirit of literature, in the forms and usages of life, nay, even in the proceedings of legislatures, in the history of statute books and in the decisions of magistrates we find manifold proofs that women are gradually making their way, and slowly but surely winning for themselves a position superior to any they have hitherto attained." My whole aim in advocating women's cause and moving this resolution can best be described in the words of Ramsay Macdonald, who criticizing the then Prime Minister who opposed the Women Suffrage Bill in the House of Commons on May 6, 1913 said:—"We want women to do things for themselves, because they can do these things for themselves, because they can do them a great deal better than men can do them; we want to get them into the frame of mind of independent and self-respecting citizens who will co-operate with us, and not merely ask us to do things for them when they can do them much better for themselves." I would also like to remind the House in the words of Swanwick that to be without representation in a country professedly governed by representative institutions is to be perilously near to a state of slavery. If women were given the vote India would be a better place, not because women are better than men, but because the effects of slavery are bad both for slave and slave-owner. And without representation it is all slavery.

The resolution was put and adopted.

RESOLUTION re GRANTS TO DISTRICT BOARDS FOR MEDICAL PURPOSES.

The Hon'ble the President: The next item is resolution No. 3 by Babu Shyam Lal. He has just told me that he will take two minutes to move the resolution and leave the discussion for tomorrow. It is half past four, and if the House is in a mood to listen to him, I will allow him to move the resolution.

There being no objection—

Babu Shyam Lal: I beg to move the following resolution that stands in my name:—

"That this Council recommends to the Governor acting with his Ministers that he may be pleased to increase the grant to district boards for medical purposes."

This resolution, which is of a non-contentious character, does not require a long speech from me to convince the honourable members of this House that the first necessity is medical aid, specially in rural areas which I have the honour to represent, where there are difficulties in communication, sanitation, and drainage, and where one meets with poor people who get only one meal a day. If they suffer from diseases and no help is given, I think it speaks very bad for the Government. It is very late, and I think honourable members will be impatient to go home and so I will not take up the time of the Council. I will reserve my speech in reply if any objection is raised.

The Hon'ble the President: The debate on this resolution will be taken up tomorrow after the supplementary estimates.

The Hon'ble the President then adjourned the Council to the following day.

APPENDIX A.

(See page 243 *supra*.)*Statement referred to in the answer to starred question No. 16 of November 1, 1927.*

Serial no.

Name of licensees, father's name, caste, etc.

(1) STATUS--ZAMINDARS AND LAMBARDARS.

1. Baijnath, son of Baldeo Prasad, Brahman, of Sisolar.
2. Jang Bahadur Singh, son of Arjun Singh, of Malehta.
3. Zalim Singh, son of Marakhan, Thakur, of Ruri Para.
4. Seth Kanhaiya Lal, Vaish, of Rahak.
5. Brij Raj Singh, son of Harnath Singh, Thakur, of Malehta.
6. Matadin, son of Behari, Brahman, of Kahra.
7. Partap, son of Muthra Prasad, Vaish, of Baswari.
8. Mahirujdhaj Singh, son of Thakur Bishnath Singh, of Malehta.
9. Udair Narain Singh, son of Thakur Bishnath Singh, of Malehta.
10. Kushdhuji Singh, son of Thakur Bishnath Singh, of Malehta.
11. Musammat Rao Rani Duliya of Magraut.
12. Bharosa, son of Lattu, Lodhi of Mawai.
13. Bhairon, son of Harju, Lodhi, of Baswari.
14. Daulat Singh, son of Ishuri Singh, of Kunehta.

(2) STATUS—TENANTS.

15. Ram Sahai, son of Debi. Thakur, of Kandaaur.
16. Puran, son of Matadin, Brahman, of Kunehta.
17. Sheopat Singh, son of Ram Sahai Singh, of Kunehta.
18. Swamidin Singh, son of Phallu Singh, of Gurha.
19. Chitarey, son of Jaisiram, of Jamkhuri.
20. Sheo Prasad, son of Bhawanidin, of Muskara.
21. Beni Prasad, son of Ram Prasad, of Pachpahra.

(3) GOVERNMENT SERVANTS.

22. Alam, son of Durjan, chaukidar, of Gauhari.
23. S. Muhammad Husain, police treasurer, Hamirpur.
24. Bisal Singh, son of Nanhi Singh, pensioner sepoy, Benwar.
25. Parichat, son of Dhan Singh, pensioner sepoy, Umri.
26. Sardar Basant Singh, sub-inspector, of Jaria.
27. Matiyan, son of Kalua, chaukidar, Rath.
28. Chetram Singh of Newada, pensioner sepoy.
29. S. Ahmad Ali Shah, sub-verseer, Dhasan canals.
30. Lakhan Singh, son of Desraj Singh, pensioner sepoy, of Mandaha.

(4) PRIVATE SERVANTS.

31. M. Kunwar Bahadur, *mukhtar-am*, of Chillr.
32. Gurbaksh Singh, *mukhtar-am*, of Magraut.

APPENDIX B.

(See page 243 *supra*.)

*Statement referred to in the answer to starred question No. 17
for November 1, 1927.*

Serial No.	Posts.	Hindus.	Muhammadans.	Total number.
1	Principals	4	1	8
2	Headmasters	33	6	48
3	Lecturers	11	1	14

APPENDIX C.

(See page 249 *supra*.)

*Estimates referred to in the answer to starred question No. 36
for November 1, 1927.*

ESTIMATE.

Of tube well with pumping plant . . . at village Bhamuri, pargana Tilpur, tahsil Maharajanj, district Gorakhpur, for Babu Pershotam Das Sahib, Gorakhpur :—

Serial No.	Description.	Amount.	Remarks.
		Rs. a. p.	
1	15" boring about 250 feet deep with lowering strainer and extracting pipes.	500 0 0	
2	9" diameter strainer (workshop made) about 100 feet at Rs. 15 per foot.	1,500 0 0	
3	13½" diameter plain pipe about 37 feet at Rs. 10 per foot.	370 0 0	
4	9" diameter plain pipe about 104 feet at Rs. 5-8-0 per foot.	566 8 0	
5	20" B. P. H. Ruston H. type oil engine cold starting.	3,562 8 0	
6	Exhaust and water circulating pipes and foundation bolts with plate for engine.	176 8 0	
7	6" B. type Tangyro pump with foundation bolts.	537 8 0	
8	Two W. I. water tanks each 4' diameter and 6' high.	250 0 0	
9	Suction and delivery pipes with bends, flanges, foot-valve, bolts, nuts and rubber insertion cloth.	550 0 0	
10	Pulley with belting for driving pump	165 0 0	
11	Railway freight	400 0 0	
12	Engine and pump foundation	225 0 0	
	Total	8,803 0 0	
	Say	8,803 0 0	
	(Rupees eight thousand eight hundred and three only.)		

RE.—Estimate does not include the cost of tube well masonry except engine foundations.

APPENDIX "C"—(continued).

ESTIMATE.

Of tube well with pumping plant . . . at village Kurseli, pargana Shahabad, tahsil Shahabad, district Hardoi, for Lajja Ram, retired Deputy Collector, Shahabad, Hardoi district.

Serial No.	Description.	Amount.	Remarks.
		Rs. a. p.	
1	8" boring about 212 feet deep with lowering strainer and extracting pipes.	424 0 0	Actual.
2	5' diameter strainer (workshop made) about 81 feet at Rs. 9-8-0 per foot.	768 8 0	Do.
3	5" diameter plain pipe about 117 feet at Rs. 2 per foot.	234 0 0	Do.
4	Ditto ditto.	..	
5	16 B. P. H. H type Ruston oil engine cold starting.	3,071 0 0	
6	Exhaust and water circulating pipes and foundation bolts with plates for engine.	153 0 0	
7	4" B type Tangyro pump with foundation bolts ..	310 0 0	
8	Two W. I. water tanks each 4' diameter and 6' high.	250 0 0	
9	Suction and delivery pipes with bends, flanges, foot-valve, bolts, nuts and rubber insertion cloth.	250 0 0	
10	Pulley with belting for driving pump ..	135 0 0	
11	Railway freight.. ..	350 0 0	
12	Engine and pump foundation	200 0 0	
	Total ..	6,145 8 0	
	Say .. (Rupees six thousand one hundred and forty-six only.)	6,146 0 0	

NOTE.—Estimate does not include cost of tube well masonry except engine and pump foundations.

APPENDIX D.

(See page 251 *supra*.)

Statement referred to in the answer to starred question No. 49 for November 1, 1927.

Age.	Weight.	Health.	Cause of death.
Years.			
65	118 lb.	Bad	Dysentery.
58	114 "	Indifferent	Pneumonia.
28	92 "	Bad	Influenza.
70	105 "	Bad	Ditto.
22	97 "	Good	Pneumonia.
45	118 "	Good	Ditto.
45	114 "	Indifferent	Fatty degeneration of the heart (heart failure).
45	109 "	Ditto	Pneumonia.
42	128 "	Bad	Ditto.
60	104 "	Indifferent	Diarrhoea (senility).
27	105 "	Good	Enteric fever.
36	116 "	Good	Tuberculosis of lungs.
35	92 "	Indifferent	Septicæmia.
25	112 "	Good	Abscess of liver.
45	105 "	Indifferent	Pneumonia.
55	97 "	Bad	Pulmonary tuberculosis.
62	117 "	Indifferent	Acute gastro enteritis.
45	115 "	Good	Double pneumonia.

APPENDIX E.

(See page 252 *supra*.)

Statement referred to in the answer to starred question No. 56 asked by MR. MUHAMMAD ABDUL BARI on November 1, 1927.

Years.	Hindus.	Muslims.
1923-24	25	7
1924-25	34	7
1925-26	24	9
1926-27	27	2
1927-28	37	6

APPENDIX F.

(See page 257 *supra*.)

Statement (a) showing amounts of total Government grant in each of the last five years.

Year.	Sanskrit Path-shalas.	Arabic Mad-rasas.
	Rs.	Rs.
1922-23	12,558	32,140
1923-24	18,522	30,240
1924-25	23,970	30,840
1925-26	23,082	33,430
1926-27	31,752	35,244

APPENDIX F—(continued).

Statement (b) showing the maximum grant given to an individual institution.

Years.						Sanskrit Pathshalas.	Arabic Mad-rasas.
						Rs.	Rs.
1925-26	..	..	..	..	..	1,200	3,600
1926-27	..	..	..	..	..	1,200	4,200

Statement (c) showing total number of recognized Sanskrit Pathshalas and the Arabic Madrasas with the total enrolment in each.

Recognized Sanskrit Pathshalas in 1926-27.						Enrolment.	Recognized Arabic Mad-rasas in 1926-27.	Enrolment.
618	..	..	..	..	..	10,000	94	11,170

APPENDIX G.

(See page 260 *supra*.)

Statement showing details of savings.

				Rs.
Tahsildar and naib-tahsildar	...	..	...	4,080
Revenue and treasury accounts	...	...	...	1,230
Revenue clerk	...	...	...	480
Naib-nazir	...	...	...	420
Judicial muharrir	...	..	...	480
Cashier	...	...	...	420
Jamadar...	...	...	...	192
Registrar qanungo	...	...	...	720
Tahsili fixed contingencies	..	...	...	56
Repairs to tahsili buildings	...	...	...	375
Total				8,453

APPENDIX H.

(See page 267 *supra*.)

Statement referred to in the answer to starred question No. 107 for November 1, 1927, asked by CHAUDHRI DHARAMVIR SINGH SAHIB.

AMINS, MEERUT DISTRICT.

Name of month.					Number of miles covered by the civil court amins.
May	...	...	...	...	2,994
June	...	...	...	...	2,781
July	...	...	...	...	2,288

BAILIFF, SMALL CAUSE COURT, MEERUT.

Name of month.				Number of miles covered.	Amount of tonga fare paid.
					Rs.
May	...	...	...	285	93
June	...	...	...	147	52
July	...	...	...	69	46

APPENDIX I.

(See page 277 *supra*.)

To

MOHAMMAD ABDUL HAMID KHAN

alias MASHARAQ KHAN OF FARIDPUR,

POLICE STATION BINDKI, DISTRICT FATEHPUR.

Whereas you intend to sacrifice a cow at Faridpur and whereas last year an intended sacrifice of a cow on your part at this very place led to a communal riot and whereas the Sessions Judge held in the judgement of the same that cow sacrifice was not proved to have been performed in Faridpur in previous years and the Superintendent of Police reports this year that this sacrifice is an innovation on your part and as there is a house of a Hindu just behind the house in which the sacrifice is intended to be performed and a Brahman's house a little after that and your action is liable to hurt their feelings and whereas it has been made to appear to me that there are preparations both among the Hindus and Muhammadans for a communal riot in connexion with the sacrifice and immediate prevention and speedy remedy is desirable.

I do hereby order you the said Md. Abdul Hamid Khan *alias* Masharaq Khan under section 144, Criminal Procedure Code, not to sacrifice a cow at Faridpur and strictly warn and inform you not to do anything which may lead to the sacrifice of a cow at Faridpur.

Given under my hand and the seal of the Court this 6th of June, 1927.

(Sd.) ALI SAJJAD HUSAIN,

Offg. District Magistrate,
Fatehpur.

6-6-'27.

APPENDIX J.

(See page 278 *supra*.)

Statement referred to in the answer to starred question No. 159 asked by
KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB on November 1, 1927.

	B. A.						B. Sc.					
	Pass.			Honours.			Pass.			Honours.		
	Hindus.	Muslims.	Christians.	Hindus.	Muslims.	Christians.	Hindus.	Muslims.	Christians.	Hindus.	Muslims.	Christians.
1925.												
Allahabad University.	289	40	8	..	..	..	140	6	2	..	..	..
Lucknow University.	50	18	10	14	6	1	26	5	3	7	..	..
Benares University.	184	2	..	4	..	..	35	2	..	2	..	..
Aligarh Muslim University.	24	180	..	..	7	..	5	35	..	..	..	..
Total ..	497	235	18	18	13	1	203	5	5	9	..	..
1926.												
Allahabad University.	345	38	6	..	..	..	189	6	5	..	..	..
Lucknow University.	52	19	7	5	5	..	31	1	4	3	2	..
Benares Hindu University.	148	..	..	3	..	..	65	2	..	3	..	..
Aligarh Muslim University.	13	171	..	..	2	..	4	21	..	1	2	..
Total ..	558	228	13	8	7	..	289	33	9	7	4	..
1927.												
Allahabad University.	378	58	8	..	..	..	167	6	5	6	..	..
Lucknow University.	70	25	8	6	3	1	36	5	..	4	..	..
Benares Hindu University.	103	..	..	3	..	..	48	1	..	2	..	..
Aligarh Muslim University.	19	165	1	2	5	..	3	28	..	..	4	..
Total ..	570	246	17	11	8	1	254	40	5	12	4	..

APPENDIX K.

(See page 278 *supra*.)

Statement showing the amount paid to the heirs of Government servants during the years 1924-25, 1925-26 and 1926-27.

Years.	Amount available for payment during the year.	Amount recommended by departments.		Amount passed by committee.	
		For payment during the year.	For payment in subsequent years.	For payment during the year.	For payment in subsequent year.
	Rs.	Rs.	Rs.	Rs.	Rs.
1924-25	9,340	13,291	1,432	8,914	3,440
1925-26	14,366	37,503	1,230	14,365	1,440
1926-27	15,180	65,717	2,322	15,105	790

NOTE.—The figures in column 2 represent the usual provision for the year *plus* the unspent balance from the previous year less previous commitments.

APPENDIX L.

(See page 278 *supra*.)

Statement referred to in the answer to Council question No. 141 for November 1, 1927.

Municipal boards were invited in February last to embark with Government assistance on a scheme for the opening of night schools on certain conditions, one of which is that Government will, if funds are available, provide fifty per cent. of the cost of new night schools opened by the boards, in addition to the existing contribution towards the cost of night schools already established by the boards. Twenty-three boards have responded to the invitation and propose to open 60 night schools with an anticipated enrolment of 1,762. For rural areas a sum of Rs. 5,000 was voted by the Council in the supplementary estimates of June, 1927, for the purpose of aiding adult education societies to maintain night schools for the education of illiterate adults. Grants for the purpose will be made in consultation with the Registrar, Co-operative Societies, United Provinces. Government also propose if funds are available to open night schools for adults in connexion with the normal schools and the model schools attached to them.

APPENDIX M.

(See page 279 *supra*.)

Extract from G. O. No. 546/XV—1099-1927, dated June 20, 1927, referred to in the answer to starred question No. 148, dated November 1, 1927, asked by KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB.

* * * *

Government have had under consideration the amount of the grants for vernacular education to district boards, the conditions on which they are given, and the methods of distributing them. The existing grants were fixed for a period of three years 1924-25, 1925-26 and 1926-27, subject to subsequent modifications, on the conditions laid down in the Government Orders quoted above and other conditions laid down, from time to time, with respect to special grants.

The method of distributing the general grant and the conditions on which it was given during 1924-25, 1925-26 and 1926-27 are as follows:—

- (a) Government prescribe for each board the minimum which it is bound to provide in its budget under each of the five heads, middle vernacular, ordinary primary (including ordinary training classes for men), Islamia schools and maktabas, depressed class, and female education.
- (b) Government give a general grant towards the total expenditure by the boards under these five heads.
- (c) The difference between the amount provided in a board's budget and the actual expenditure by the board each year under each head must be kept by the board in an education fund for each head; this education fund can be used by the board only for new buildings, equipment of new schools, and similar non-recurring expenditure under the head for which these savings accrue.
- (d) The board must observe the district board educational rules and other orders of Government in regard to education.
- (e) Government reserve the right (i) to reduce the amount of assistance given to a district board if it fails to observe the conditions (a), (c) and (d) above, or fails to work up to its programme of the expenditure, (ii) to resume the balance of educational funds which a board shows itself unable to use to advantage and (iii) to resume at any time any grants in respect of items of education regarding which there is a change in the educational system and the retention of which is consequently no longer necessary.
- (f) The grant is not paid annually to a board unless the divisional inspector of schools certifies each year that the board has made full provision in its budget for the prescribed expenditure on each head of vernacular education, that it has credited its unexpended balances from the previous year to the proper education fund, and that the education funds have been used in the preceding year for the prescribed objects. The education funds under the five heads already mentioned must be

APPENDIX M—(continued).

credited by a board on April 1, each year, with the unspent balances of the grants sanctioned in the previous year.

- (g) It is not open to a board to transfer, from the minimum prescribed expenditure, funds between the five heads of expenditure, but a board may from funds at its disposal increase the provision under any of these heads, provided it does not reduce the expenditure under any head below the prescribed minimum.

Government will continue the existing general grant to district boards on the same conditions as hitherto.

APPENDIX N.

(See page 287 *supra*.)

Statement referred to in the answer to starred question No. 185 for November 1, 1927.

STATEMENT.

Years.	Fuel.		Charcoal.	
	Distance (miles).	Price per maund.	Distance (miles).	Price per maund.
		Rs. a.		Rs. a.
1917 to 1921 ..	1½ to 3	0 8	8 to 11	1 6
1921 ..	1½ to 6	0 10	8 to 11	1 9
1922 to 1927 ..	3½ to 8	0 10	9 to 13	1 12

APPENDIX O.

(See page 285 *supra*.)

Statement referred to in the answer to starred question No. 190 for November 1, 1927.

1.	Royal Hotel, Naini Tal	...	Hotel.
2.	Grand Hotel "	...	Do.
3.	Metropole Hotel "	...	Do.
1.	Messrs. D. L. Jehangir & Co., Naini Tal	...	'On and Off.'
2.	" Bezan & Co., Naini Tal	...	'Off.'
3.	" Murray & Co....	...	'Off.'
4.	" Shapoorji & Co.	...	'Off.'
5.	" Govin & Co. (Malli Tal)	...	'Off.'
6.	" Govin & Co. (Talli Tal)	...	'Off.'
7.	" Bala Prasad & Sons	...	'Off.'

APPENDIX P.

(See page 294 supra.)

Statement referred to in the answer to starred question No. 222 for November 1, 1927, asked by THAKUR MANJIT SINGH RATHORE SAHIB.

Total number of cases.	Serial number.	Names and description of persons accused of illicit distillation of liquor.	Name of the owner of the premises where illicit distillation was carried on.	Punishment awarded.
1923-24.				
6	1	Bala Singh, son of Kallu, Gurang, Gurkha of Dehra.	Not known..	3 months' R. I.
	2	Dhan Bahadur, son of Bal Bahadur, Rajput, Gurkha.	Do. ..	Fine Rs. 200 in default 22 days' R. I.
	3	Bahadur Singh, son of Sathi, Rajput, Gurkha.	Do. ..	Acquitted.
	4	Taya Ram, son of Lal Singh, Thapa, Gurkha.	Do. ..	Do.
	5	Lal Singh, son of Hinka, Rajput, Gurkha.	Do. ..	Fine Rs. 25 in default 20 days' R. I.
	6	Guman Singh, son of Raghunath, Rajput, Gurkha.	Do. ..	Made to execute a bond for Rs. 50.
1924-25.				
7	1	Kharkey, son of Man Bahadur, Gurang, Gurkha.	Not known..	Fine Rs. 40.
	2	Dil Bahadur, son of Dhum Singh, Rajput, Gurkha.	Do. ..	6 weeks' R. I. and fine Rs. 80.
	3	Lal Bahadur, son of Dhian Singh, Rajput, Gurkha.	Do. ..	1 day's S. I. and fine Rs. 50.
	4	Mangali, son of Durga Mali ..	Do. ..	Acquitted.
	5	Ran Bahadur, son of Bhagila Ram, Thapa, Gurkha	Do. ..	6 months' R. I. and fine Rs. 50.
	6	Kati, son of Chander Singh, Thapa, Gurkha.	Do. ..	4 months' R. I. fine Rs. 50.
	7	Dhan Bir, son of Mukman Thapa, Gurkha.	Do. ..	6 weeks' R. I.
1925-26.				
6	1	Har Dutt, son of Ram Saran, Ahir..	Not known..	Fine Rs. 50.
	2	Hardowari, son of Girao, Jat ..	Do. ..	Acquitted.
	3	Santa, son of Hira, Mali ..	Do. ..	Fine Rs. 60.
	4	Musammat Reshmi, wife of Badal, Lodhan.	Do. ..	Fine Rs. 50.
	5	Musammat Sanmaya, wife of Surbir, Gurang, Gurkha.	Do. ..	6 months' R. I. and fine Rs. 50.
	6	Lal Bahadur, son of Kallu Bhan, Rajput, Gurkha.	Do. ..	6 months' R. I.
1926-27.				
7	1	Lal Bahadur, son of Kala Beguiler, Gurang, Service.	Not known..	6 months' R. I.
	2	Sher Singh, son of Walkia, Gurang, of Dalanwala.	Do. ..	2 months' R. I. and fine Rs. 50 in default 1 month's R. I.
	3	Musammat Thagi, wife of Bahadur Singh, of Dalanwala, Gurkha.	Do. ..	Fine Rs. 20.
	4	Kishen Bahadur, son of Ram Bahadur of Chukhuwala, Dehra, caste Gurkha.	Do. ..	4 months' R. I.
	5	Man Lal, son of Surba, Gurang, Gurkha of Chukhuwala.	Do. ..	4 months' R. I.
	6	Baber Jang, son of Dhani Ram, Thakur, Gurkha, Dalanwala.	Do. ..	2 months' R. I.
	7	Nanku, son of Giri and Musammat Chilki, wife of Nanku, Kori, servant of Mr. Ugra Sen, Dehra Dun.	Portion of Mr. Ugra Sen's house occupied by servants.	2 months' R. I. each.

APPENDIX Q

(See page 294 *supra*.)

Statement referred to in the answer to starred Council question No. 223 for November 1, 1927, asked by THAKUR MANJIT SINGH RATHORE SAHIB.

- (a) (1) 1. Mr. Ugra Sen, Bar.-at-Law.
 2. Dr. P. C. Hoon, M.B., B.S.
 3. Mr. S. D'Gama of Dehra.
 4. L. Jugmandar Das, Honorary Magistrate.
 5. Thakur Manjit Singh Rathor, M.L.C.
 6. Mr. A. M. Khan, Retired Deputy Collector.
 7. Mr. Lakshman Pershad, M.A., Principal, D.-A. V. College.
 8. L. Murli Dhar, Excise Licensee.
 9. Chaudhri Bhikari Dass.
 10. Thakur Ram Raj Pal Singh, Deputy Collector and
 Excise Officer Secretary.
- (2) 1. M. Tuman Ali of Mehuwala.
 2. Chaudhri Sher Singh of Doonga.
 3. Babu Sandal Singh, Manager, Kaulagarh Tea Estate.
 4. Rai Bahadur Pandit Keshwa Nand, Honorary Magistrate.
 5. Thakur Manjit Singh Rathor, M.L.C.
 6. Thakur Ram Raj Pal Singh, Deputy Collector and
 Excise Officer Secretary.
- (b) Three and two respectively.

APPENDIX R.

(See page 297 *supra*.)

Statement referred to in the answer to unstarred question
 No. 6 for November 1, 1927.

*Income and expenditure of the sugar farms at tahsil Nawabganj,
 Bareilly district, from 1923-24 to 1926-27.*

Revenue year.	Revenue.	Expenditure.	Profit	Loss.	Remarks.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs.	
1922-23	12,865 5 8	8,388 1 3	4,481 11 5	..	The variation in figures is due to the adjustment made in the accounts as explained on page 9 of the Administration Report, 1924-25.
1924-25	7,439 13 0	7,077 14 6	361 14 6	..	
1925-26	9,022 2 3	6,566 12	2,455 6 3	..	
1926-27	16,537 5 9	7,736 7 6	8,800 14 3	..	

APPENDIX S.

(See page 297 *supra*.)

Statement referred to in the answer to unstarred question No. 7 for November 1, 1927.

Cost per student per annum in the Allahabad and Lucknow Universities.

		1925-26.	1926-27.
Allahabad	...	752	735
Lucknow	...	738	808

APPENDIX T.

(See page 298 *supra*.)

Statement referred to in the answer to part (a) of unstarred Council question No. 8 for November 1, 1927.

Fees, in addition to tuition fees, paid by B.A. and M.A. students of the Lucknow University.

				Rs.
Enrolment fee	...	...	...	12
Deposit fee	...	...	...	10
College admission fee	...	...	...	4
Games fee	...	...	...	5
Examination fees :—				
A. (pass)	...	...	...	30
B.A. (Honours)	...	...	...	40
M.A.	...	...	...	50
Union fee	...	...	...	1 per term.
Hostel fee (residents only)—				
In a single room	...	...	...	18 per term.
In a double room	...	...	...	14 „ „

APPENDIX U.

(See page 298 *supra*.)

Statement referred to in the answer to unstarred questions
Nos. 11, 13 and 14 for November 1, 1927.

- (a) Unmetalled roads maintained by the district board of Sitapur. 379 miles, of which 18½ miles are being metalled.
- (b) Metalled roads maintained by the district board of Sitapur. 100 miles.
- (c) Provincial roads in the Sitapur district—
- | | | | |
|------------|-----|-----|--------------|
| Metalled | ... | ... | 86.45 miles. |
| Unmetalled | ... | ... | 10.68 miles. |

Income and expenditure of the Sitapur district board in the year 1926-27.

			Rs.
Income	...	...	3,70,626.
Expenditure	...	...	3,93,071.

Grants made by Government to the Sitapur district board in the year 1926-27.

- (1) Rs. 1,13,700—General grant for vernacular education (recurring).
- (2) Rs. 1,000—For middle vernacular school libraries (non-recurring).
- (3) Rs. 360—For the teaching of English at a middle vernacular school (recurring).
- (4) Rs. 3,033—For manual training classes at a middle vernacular school (non-recurring).
- (5) Rs. 58,970—For primary schools (boys) buildings (non-recurring).
- (6) Rs. 10,250—For expansion of boys' ordinary primary education (recurring).
- (7) Rs. 2,000—To meet the increased rate of pay of sub-assistant surgeon (recurring).
- (8) Rs. 1,269—For general medical purposes (recurring).
- (9) Rs. 760—For construction of four model houses at the head quarters of each tahsil (non-recurring).

APPENDIX V.

(See page 299 *supra*.)

Statement showing the accounts of the Bageshwar fair fund for the years 1924-25 to 1926-27 (referred to in the answer to unstarred question No. 18 for November 1, 1927).

Year.	Receipts			Expenditure.		
		Rs.	a. p.		Rs.	a. p.
1924-25	...	736	0 0		563	15 0
1925-26	...	363	14 0		560	11 0
1926-27	...	1,447	3 3		514	13 0

APPENDICES.

APPENDIX W.

(See page 299 *supra*.)

Statement referred to in the answer to unstarred question No. 19 of November 1, 1927.

Year.					Licences cancelled.		New licences issued.
					(a) Ordinary.	(b) Under section 24 of the Arms Act.	
1					2	3	4
1921	..	..	..	..	27	1	225
1922	..	..	..	..	75	..	171
1923	..	..	..	..	81	..	224
1924	..	..	..	..	50	1	210
1925	..	..	..	..	54	1	188
1926	..	..	..	..	88	..	227
1927	..	..	..	..	126	1	177

N.B.—Licences issued from the Almora district but renewed elsewhere are included in column 2(a) above, and those issued from other districts but renewed in that district under column 4.

APPENDIX X.

(See page 305 *supra*.)

*referred to in the answer to unstarred question No. 33 (a)
and (b) for November 1, 1927.*

Name of places where patwari schools are situated.	Head teachers.	Assistant teachers.
Dehra Dun	1	..
Saharanpur	1	1
Muzaffarnagar .. .. .	..	..
Meerut	1	2
Agra	1	1
Mainpuri	1	..
Etah	1	1
Bareilly	1	1
Shahjahanpur	1	..
Pilibhit	1	..
Etawah	1	..
Cawnpore	1	1
Fatehpur	1	..
Allahabad (Meja)	1	..
Banda	1	1
Hamirpur	1	..
Jhansi (Mau)	1	1
Jhansi (Lalitpur)	1	..
Jalaun	1	..
Benares	1	..
Mirzapur	1	1
Ghazipur	1	1
Gorakhpur	1	2
Azamgarh	1	1
Naini Tal	1	..
Lucknow	1	1
Unao	1	..
Rae Bareli	1	..
Kheri	1	1
Fyzabad	1	1
Gonda	1	1
Bahraich	1	1
Sultanpur	1	..
Partabgarh	1	1
Bara Banki	1	..
Total	34	20

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, November 2, 1927.

THE Council met in the Council Hall, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(9)

The Hon'ble Sir Sam O'Donnell.	Babu Kishori Prasad.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Mool Chand Dube.
The Hon'ble Rai Rajeshwar Bali.	Pandit Deota Prasad.
The Hon'ble Thakur Rajendra Singh.	Babu Shyam Lal.
The Hon'ble Nawab Muhammad Yusuf.	Pandit Venkatesh Narayan Tivary.
Kunwar Jagdish Prasad.	Babu Kavendra Narayan Singh.
Mr. H. S. Crosthwaite.	Pandit Shri Sadayatan Pande.
Mr. Panna Lal.	Raja Sri Krishna Dutt Dube.
Sir Ivo Elliott, Bart.	Thakur Shiva Shankar Singh.
Mr. J. H. Darwin.	Rai Bahadur Thakur Hanuman Singh.
Mr. H. A. Lane.	Rai Bahadur Babu Abhinandan Prasad.
Mr. R. L. Yorke.	Bhaya Hanuman Prasad Singh.
Mr. R. Oakden.	Babu Ganga Prasad Roy.
Mr. A. W. McNair.	Pandit Govind Ballabh Pant.
Khan Bahadur Chaudhri Wajid Husain.	Pandit Badri Dutt Pande.
Mr. E. L. Norton.	Mr. Mukandi Lal.
Mr. F. F. R. Channer.	Sirdar Nihal Singh.
Mr. R. J. S. Dodd.	Rai Bahadur Chaudhri Jagannath Prasad.
Col. R. F. Baird.	Raja Bahadur Bishwanath Saran Singh.
Mr. A. H. Mackenzie.	Rai Bahadur Babu Mohan Lal.
Mr. G. Clarke.	Rai Bahadur Pandit Sankata Prasad Bajpai.
Mirza Muhammad Sajjad Ali Khan.	Babu Mahendra Deva Varma <i>alias</i> Lalji.
Khan Bahadur Mr. Masud-ul-Hasan.	Raja Raghuraj Singh.
Mr. H. C. Desanges.	Kunwar Surendra Pratap Sahi.
Mr. E. Ahmad Shah.	Mr. C. Y. Chintamani.
Babu Rama Charana.	Haji Abdul Qayum.
Babu Lakshmi Narayan.	Maulvi Zahur-ud-din.
Babu Ganesh Shankar Vidyarthi.	Saiyid Tufail Ahmad.
Mr. A. P. Dube.	Khan Bahadur Shaikh Zia-ul-Haq.
Pandit Rahas Bihari Tiwari.	Lieut. Nawab Muhammad Jamshed Ali Khan.
Babu Sampurnanand.	Nawabzada Muhammad Liaqat Ali Khan.
Babu Bhagwati Sahai Pedar.	Hafiz Muhammad Ibrahim.
Thakur Manjit Singh Rathor.	Khan Bahadur Hafiz Hidayat Husain.
Chaudhri Mangat Singh.	Maulvi Saiyid Habib ullah.
Rai Bahadur Lala Jagdish Prasad.	Khan Bahadur Shah Badre Alam.
Chaudhri Vijai Pal Singh.	Khan Bahadur Shaikh Saiyid Muhammad <i>alias</i> Maiku Mian.
Chaudhri Dharamvir Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Pandit Nanak Chand.	Shaikh Mubammad Habib-ullah.
Thakur Hukum Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Raja Kushal Pal Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Thakur Gulab Singh.	Raja Shambhu Dayal.
Lieut. Raja Kali Charan Mishra.	Kunwar Bisheshwar Dayal Seth.
Lala Nemi Saran.	Raja Jagannath Bakhsh Singh.
Chaudhri Badan Singh.	Mr. E. M. Souther.
Rao Sahib Kunwar Sardar Singh.	Mr. J. P. Srivastava.
Thakur Sadho Singh.	Pandit Iqbal Narayan Gurtu.
Pandit Brijnandan Prasad Misra.	
Pandit Bhagwat Narayan Bhargava.	
Rao Udaibir Singh.	

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

KOTWAL OF BAREILLY.

*1. **Pandit Rahas Bihari Tiwari**: Is it a fact that for more than thirty years past the kotwal of Bareilly has invariably been a Muhammadan?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

Thakur Hukum Singh: Will the Government be pleased to post a Hindu kotwal there for the next thirty years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I could not follow the honourable member.

Pandit Nanak Chand: Will the Government consider the advisability of appointing a Hindu kotwal there?

(No answer.)

Lieut. Raja Kali Charan Misra: In view of the fact that Muhammadan kotwals have been there for the last thirty years, will the Government be pleased to appoint a Hindu kotwal for the next thirty years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I am unable to give any undertaking for the next thirty years.

*1-A. **Pandit Rahas Bihari Tiwari**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

*1-B. **Pandit Rahas Bihari Tiwari**: (i) Is it a fact that the sub-inspector in charge of the Bareilly kotwali has invariably been a Muhammadan for very many years?

(ii) Has the superintendent of police any objection to appoint a Hindu to this post?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:
(i) Yes.

(ii) No.

HEAD CONSTABLES, CONSTABLES AND MUNSHIS IN BAREILLY KOTWALI.

*1-C. **Pandit Rahas Bihari Tiwari**: (i) With reference to July 10, 1927, is it a fact that out of eighteen constables in the Bareilly kotwali there were only three or four Hindu constables and the rest were Muhammadans?

(ii) Is it a fact that out of 22 constables in the Bareilly kotwali police chauki there were only three or four Hindu constables and the rest were Muhammadans?

(iii) Is it a fact that all the munshis who took down reports in the Bareilly kotwali were Muhammadans?

(iv) Is it a fact that all the head constables in the Bareilly kotwali were Muhammadans ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (i) No. There were five Hindu constables.

(ii) Yes.

(iii) No. There was one Hindu clerk employed on taking down reports.

(iv) Yes.

Muharram DISTURBANCES AND ARYA SAMAJ, BAREILLY.

* 1-D. **Pandit Rahas Bihari Tiwari :** (i) Is it a fact that no inquiries were made into several cases of stabbing and other serious offences alleged to have been committed by the Muhammadans ?

(ii) Are any Muhammadans alleged to have attacked and broken the gate of the Arya Samaj *mandir* on the night of July 10, 1927 ?

(iii) Was any action taken against them by the police ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (i) No. Every such case was duly investigated.

(ii) No formal report or complaint to this effect was made at the kotwali.

(iii) Does not arise.

* 2. **Pandit Rahas Bihari Tiwari :** (i) What is the strength of the permanent police force in the Bareilly city ?

(ii) What was the number (a) of Hindu and (b) of Muhammadan sub-inspectors, head constables and constables respectively belonging to the civil police permanently employed in the Bareilly city (including cantonment) before the *Muharram* disturbance on July 10, 1927 ?

(iii) How many police stations were under the charge of Muslim sub-inspectors and Hindu sub-inspectors respectively in the Bareilly city (including cantonment) and (b) Bareilly district ?

(iv) What is the proportion of the Hindu and Muslim population in (a) the Bareilly city (including cantonment) and (b) Bareilly district ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the honourable member's table.

(See Appendix A, page 470.)

* 3. **Pandit Rahas Bihari Tiwari :** (i) Is it a fact that a deputation on behalf of the Hindu Sabha, Bareilly, waited on the superintendent of police on August 6, 1927, and represented that the Hindu element in the civil police force at Bareilly should be strengthened ?

(ii) Have any steps been taken in this direction since ? If so, what is the present position ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (i) The answer is in the affirmative.

(ii) Twenty Hindu constables have been transferred from rural police stations to city police stations and outposts in Bareilly city. No further Hindu constables are available for transfer from rural police stations to

Bareilly city, but the Deputy Inspector-General is arranging for the transfer of a number of Hindu constables to Bareilly from the adjoining districts.

Thakur Hukum Singh : Will the Government be pleased to equalize the number of Hindu and Muslim constables there ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot give any undertaking, but I understand that something is being done in that direction.

Pandit Rahas Bihari Tiwari : What was the result of the investigation ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of the result of the investigation.

Thakur Hukum Singh : Will the Government be pleased to issue instructions to the Deputy Inspector-General to complete this arrangement soon ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no need to issue these instructions. As I have already said in my reply, arrangements are being made.

* 4. **Pandit Rahas Bihari Tiwari :** (i) Has the Government received any resolution passed by any Hindu organization on the subject of the last *Muharram* disturbances ?

(ii) Will the Government be pleased to lay a copy of these resolutions on the table ?

(iii) Has the Government taken any, and, if so, what steps on those resolutions ?

The Hon'ble Sir Sam O'Donnell : (i) The honourable member's question presumably refers to the *Muharram* disturbances at Bareilly. If so, the answer to the first part of the question is in the affirmative.

(ii) and (iii) Government do not consider that any useful purpose would be served by laying a copy of these resolutions on the table. They are unable to make any further statement in regard to them, as some of the matters referred to therein may be directly or indirectly brought before the law courts.

* 5. **Pandit Rahas Bihari Tiwari :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RAJPUR TOWN AREA AND ITS SECRETARY, DEHRA DUN.

* 6. **Thakur Manjit Singh Rathor :** What was the income of Rajpur town area, district Dehra Dun, in 1920, 1921, 1922, 1923, 1924 1925 and 1926, and what were its expenses during the above years ?

The Hon'ble Nawab Muhammad Yusuf : A statement is laid on the table.

Thakur Manjit Singh Rathor: Is it the intention of the Government to see to it that the town area of Rajpur is in future an elected body instead of a nominated one?

The Hon'ble Nawab Muhammad Yusuf: The question is being examined.

*7. **Thakur Manjit Singh Rathor:** (a) What is the pay of the present Secretary of the town area?

(b) What pay did the previous Secretary draw?

The Hon'ble Nawab Muhammad Yusuf: (a) The pay of the secretary or town superintendent as he is called in the case of a notified area is Rs 70—7½—100 per mensem and the present incumbent is now drawing Rs. 92-5.

(b) His predecessor drew Rs. 101 per mensem.

*8. **Thakur Manjit Singh Rathor:** Is it a fact that only a few years ago the work of Rajpur town area was conducted by a *bakshi* drawing Rs. 144 per year?

The Hon'ble Nawab Muhammad Yusuf: No.

*9. **Thakur Manjit Singh Rathor:** (a) When was the election of members of the Rajpur town area made last time?

(b) Is it a fact that the present members of the town are wholly nominated?

(c) Do Government intend to order that election of members of the Rajpur town area be made regularly?

The Hon'ble Nawab Muhammad Yusuf: (a) No election has ever been held.

(b) Yes.

(c) The question is being examined.

Thakur Manjit Singh Rathor: May I inform the Hon'ble the Minister that election did actually take place in 1923?

The Hon'ble the President: Supplementary questions are not meant for giving information but for asking information.

PATWARIS AND QANUNGOS IN THE UNITED PROVINCES.

*10. **Chaudhri Dharamvir Singh:** (a) What is the number of patwaris in the United Provinces? What is the number of qanungos of each grade in the United Provinces?

(b) What are the rates of pay (i) for the patwaris and (ii) for the qanungos?

(c) Does the Government intend to increase the salaries of these officials? If not, why not?

The Hon'ble Sir Sam O'Donnell: (a) The number of patwaris is 27,409; for supervisor qanungos a statement is laid on the table.

(b) (i) The honourable member is referred to the answer given to starred question No. 114 on December 23, 1925.

(ii) The honourable member is referred to the answer given to starred question No. 117 on December 23, 1925.

(c) As regards qanungos the honourable member is referred to the answer given to starred question No. 142 yesterday. The pay of patwaris was revised three years ago and Government have no intention to revise it again at present.

(See Appendix C, page 471.)

Copy of starred question No. 114 asked by KHAN BAHADUR MAULVI FASIH-UD-DIN, and the answer given on December 23, 1925.

QUESTION.

* What are the grades of the pay of patwaris in these provinces ?

ANSWER.

* A statement giving the information is laid on the table :—

	Grades of pay.	
	Plains.	Hills.
	Rs.	Rs.
Patwaris, 1st grade	21	26
" 2nd " " " " " "	20	24
" 3rd " " " " " "	18	22
" 4th " " " " " "	17	20
" 5th " " " " " "	15	..
" 6th " " " " " "	14	..
" 7th " " " " " "	13	..
Assistant patwaris,	11	..

Copy of starred question No. 117 asked by KHAN BAHADUR MAULVI FASIH-UD-DIN, and the answer given on December 23, 1925.

QUESTION.

* What are the grades of pay of qanungos ?

ANSWER.

* A statement giving the grades of pay is laid down on the table :—

	Rs.
Supervisor qanungos, 1st grade	80
" " 2nd " " " " "	70
" " 3rd " " " " "	60
Registrar qanungos	60
Assistant registrar qanungos, 1st grade	40
" " " 2nd " " "	35

Copy of starred question No. 142 asked by KHAN BAHADUR HAFIZ Hidayat Husain, and the reply given on November 1, 1927.

QUESTION.

* Have the Government received any memorial from the supervisor qanungos of the province praying, *inter alia*, for the organization of their services on time-scale basis, recruitment of a few naib-tahsildars and sub-registrars and in court of wards services from them ?

What have the Government done in the matter ?

ANSWER.

Yes : Government are considering the matter.

ORDINANCES OF THE LUCKNOW UNIVERSITY.

*11. **Khan Bahadur Hafiz Hidayat Husain :** (i) Do the ordinances of the Lucknow University permit a student after temporary residence in Lucknow to be admitted to the Diploma examination in Arabic and Persian of the university on the strength of a certificate from the head of a madarsa in Lucknow or a member of the Court of the university?

(ii) Have Government advised the university that the ordinances of the university are not in accordance with section 4, clause (4) of the Lucknow University Act and are at variance with the character of the university as laid down in the Act?

(iii) What have the university done in the matter?

The Hon'ble Rai Rajeshwar Bali : (i) No.

(ii) and (iii) Do not arise.

CLERKS IN COLLECTOR'S OFFICE, HAMIRPUR.

*12. **Khan Bahadur Hafiz Hidayat Husain :** What is the total number of officials (excluding daftaris, chaprasis and other menials) serving in the Hamirpur district Collector's office? How many out of these are Muslims?

Since how long has no Muslim been appointed as apprentice in the Hamirpur district office? Is there any Muslim apprentice in the district now?

The Hon'ble Sir Sam O'Donnell : The total number of officials (excluding daftaris, chaprasis and other menials) serving in the Hamirpur Collector's office is 119, out of which 22 are Muslims.

Since June 12, 1926 no Muslims have been appointed as apprentices in this district office. There is no Muslim apprentice in the district now.

Khan Bahadur Hafiz Hidayat Husain : Why has none been appointed since 1926?

The Hon'ble Sir Sam O'Donnell : I cannot say. There are not very many Muhammadans in the district.

THE WETHERILL COMMITTEE REPORT.

*13. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) When was the Wetherill Committee report submitted to the Government?

(b) Has it been published for the public?

(c) If the answer to (b) is in the negative, what are the reasons for the delay and how long will the Government take to do so?

The Hon'ble Rai Rajeshwar Bali : (a) March, 1927.

(b) No.

(c) The report is under consideration.

Rai Bahadur Lala Mathura Prasad Mehrotra : When is it expected to be published?

The Hon'ble Rai Rajeshwar Bali : I have already said that the report is under consideration.

Mr. C. Y. Chintamani : Is it the practice of the Government not to publish reports until after consideration and decision ?

The Hon'ble Rai Rajeshwar Bali : Not always.

Mr. C. Y. Chintamani : Is the contrary practice prevalent in regard to the publication of such reports before Government take any decision thereon ?

The Hon'ble Rai Rajeshwar Bali : In each case it is different.

Mr. C. Y. Chintamani : What are the circumstances in the Wetherill Committee's report which make it inadvisable for Government to publish it before they have considered it and come to a decision upon it ?

The Hon'ble Rai Rajeshwar Bali : One of the reasons is that we find that the report contains a number of notes of dissent, and unless we know whether it is going to serve a useful purpose, I do not think we should publish it. We have to decide it after examining the report.

Mr. C. Y. Chintamani : Is it a fact that the Government have never published before consideration and decision a report to which a number of minutes of dissent were attached ?

The Hon'ble Rai Rajeshwar Bali : I cannot say anything about that.

Mr. C. Y. Chintamani : Is it a fact that many such reports with many minutes of dissent have often been published before consideration and decision ?

The Hon'ble Rai Rajeshwar Bali : I cannot say anything about the general practice.

Mr. A. P. Dube : Does not the Government think that the public discussion on the report will help it in arriving at a correct decision ?

The Hon'ble the President : That is asking for opinion.

Pandit Bhagwat Narayan Bhargava : Is the Government justified in withholding the publication of a report even if it regards it as useless ?

The Hon'ble Rai Rajeshwar Bali : I think so.

Pandit Bhagwat Narayan Bhargava : Were the proceedings of this committee confidential ?

The Hon'ble Rai Rajeshwar Bali : I believe they were.

Mr. C. Y. Chintamani : Is it a fact that the publication of a report after Government have taken their decision thereon is practically useless ?

The Hon'ble Rai Rajeshwar Bali : I do not think it is so.

Mr. C. Y. Chintamani : Is it the Hon'ble Minister's final decision that he will not publish this report except with Government decision thereon ?

The Hon'ble Rai Rajeshwar Bali : We may not take a decision on the recommendations of the report before we publish it, but we shall have to consider and decide whether we should publish it or not.

Mr. C. Y. Chintamani : When is it likely that the consideration of the question whether it should be published or not will be concluded ?

The Hon'ble Rai Rajeshwar Bali : It is difficult to say that.

ARMED POLICE COMMITTEE REPORT.

*14. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) Will the Government be pleased to publish and circulate the Armed Police Committee report ?

(b) Is it a fact that Sir Ludovic Porter, the then Finance Member, gave an assurance to place it on the tables of members of the Council?

(c) If the answer to part (b) is in the affirmative, what are the reasons for so much delay?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a), (b) and (c) A copy of the report has already been laid on the table.

* 15. **Rai Bahadur Lala Mathura Prasad Mehrotra :** *[Postponed at the request of Government till the first day of the next meeting of the Council.]*

NON-OFFICIAL DAYS IN COUNCIL SESSIONS, 1927.

* 16. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Is the Government aware that the Council meetings have been so far held only for 33 days this year, and is it a fact that eight days alone were given to non-officials?

The Hon'ble Sir Sam O'Donnell : Council meetings have been held on 33 days, of which nine were allotted for non-official business.

* 17. **Rai Bahadur Lala Mathura Prasad Mehrotra :** Will the Government be pleased to state if the resolution regarding number of days to be allotted to Council sessions adopted on June 27, 1927 by all the non-officials has been submitted to His Excellency the Governor, and, if so, with what result?

The Hon'ble Sir Sam O'Donnell : The answer to the first part of the question is in the affirmative. As regards the second part, I can only reply to questions relating to matters which are the concern of the Governor in Council.

Pandit Bhagwat Narayan Bhargava : Has any order of His Excellency on the representation been brought to the notice of the Governor in Council?

The Hon'ble Sir Sam O'Donnell : I am not aware of any order on the representation.

Rai Bahadur Lala Mathura Prasad Mehrotra : Are we to understand that His Excellency the Governor has passed no orders on this resolution?

The Hon'ble Sir Sam O'Donnell : I have already stated in answer to the question that I can only reply to questions relating to matters which are the concern of the Governor in Council.

Rai Bahadur Lala Mathura Prasad Mehrotra : Are we to understand that the resolutions passed by this House are not placed before the Governor in Council?

The Hon'ble Sir Sam O'Donnell : Resolutions passed by this Council which concern the Governor in Council go before the Governor in Council.

Rai Bahadur Lala Mathura Prasad Mehrotra : Was this resolution placed before the Governor in Council?

The Hon'ble Sir Sam O'Donnell : No.

OAKDEN COMMITTEE REPORT.

***18. Rai Bahadur Lala Mathura Prasad Mehrotra :** With reference to the Oakden Committee report, Chapter XVII, ending with the words "Other suggestions for amendment have been proposed and are published as Appendix K for consideration when the amendment of the Act is undertaken," will the Government be pleased to state the time when the amendment of the Act will be undertaken on those lines?

The Hon'ble Thakur Rajendra Singh : The honourable member is referred to the answer given to starred question No. 6 asked by him on June 24, 1927.

Starred question No. 6 asked on June 24, 1927, and the reply given thereto.

QUESTION.

(a) Will the Government be pleased to state if they consider the desirability of overhauling the Co-operative Societies Act of 1912 as recommended by the Oakden Committee?

(b) If so, how long will it take to do so? If the answer to part (a) is in the negative, will the Government be pleased to give reasons for it?

ANSWER.

The Oakden Committee in paragraph 113 of their report have said:—"The defects in co-operative administration in this province are not attributed to defects in the Act, and we do not consider that there is any urgent need for amendment." Government agreeing with this view do not propose to amend the Act at present.

CO-OPERATIVE CONFERENCE'S RESOLUTION REGARDING ARBITRATION DECREES.

***19. Rai Bahadur Lala Mathura Prasad Mehrotra :** What steps has the Government taken on the following resolution of the Co-operative Conference held on December 28, 1921 at Allahabad:—

"Resolved that the Government be moved to arrange by rules that arbitration decrees may be executed either in civil or revenue courts at the option of the decree-holder?"

The Hon'ble Thakur Rajendra Singh : The honourable member is referred to Miscellaneous notification No. 180/XII-B—7, dated August 15, 1927.

Rai Bahadur Lala Mathura Prasad Mehrotra : Will the Hon'ble Minister ever bring an amendment to this Act?

The Hon'ble Thakur Rajendra Singh : Yes.

***20. Rai Bahadur Lala Mathura Prasad Mehrotra :** [Postponed at the request of Government till the first day of the next meeting of the Council.]

***21. Babu Rama Charana :** [Postponed at the request of Government till the first day of the next meeting of the Council.]

DEPRESSED CLASS SCHOOLS AND SCHOLARS IN FYZABAD BOARDS.

***22. Babu Rama Charana :** Will the Government be pleased to state how many depressed class schools are there in the district and municipal boards of Fyzabad?

The Hon'ble Rai Rajeshwar Bali : Sixteen in the district and one in the municipality.

*23. **Babu Rama Charana**: Will the Government be pleased to state how many depressed class scholars are reading in the Fyzabad board's ordinary schools?

The Hon'ble Rai Rajeshwar Bali: Three hundred and twenty-seven in the district and 1-8 in the municipality.

GRANT TO DISTRICT BOARD, LUCKNOW FOR DEPRESSED CLASS
EDUCATION.

*24. **Babu Rama Charana**: What is the amount of the annual grant given by Government to the district board, Lucknow, for depressed class education since 1921, and what amount each year was spent by the board towards this class of education?

*25. How many schools have there been in the district board of Lucknow since 1920 and how many of them are depressed class schools?

The Hon'ble Rai Rajeshwar Bali: *24, *25 and *28. A statement is laid on the table of the honourable member.

(See Appendix D, page 472.)

SUPERVISOR FOR DEPRESSED CLASS SCHOOLS IN LUCKNOW.

*26. **Babu Rama Charana**: Is it a fact that the post of supervisor of the depressed class schools has been done away with by the district board, Lucknow, this year? If so, why?

The Hon'ble Rai Rajeshwar Bali: Yes, because the board did not consider the post necessary, particularly in view of the proposed introduction of compulsory primary education for boys in rural areas.

STEPS TAKEN BY DISTRICT BOARD, LUCKNOW, TO POPULARIZE
EDUCATION AMONG THE DEPRESSED CLASSES.

*27. **Babu Rama Charana**: If the reason assigned is the paucity of depressed class schools, will the Government be pleased to state what steps, if any, were taken to popularize education among the depressed classes by the Lucknow district board?

The Hon'ble Rai Rajeshwar Bali: Does not arise.

SCHOLARS IN DEPRESSED CLASS SCHOOLS.

*28. **Babu Rama Charana**: How many scholars of the depressed classes were in attendance in depressed class schools since 1921, and what was the number of the scholars belonging to the other classes in them? Will the Government be pleased to state the reason for the paucity of depressed class students in them?

(Answered along with Nos. *24 and *25 supra.)

TEACHERS IN DEPRESSED CLASS SCHOOLS IN LUCKNOW.

*29. **Babu Rama Charana**: How many teachers are there in the depressed class schools of the district board of Lucknow, and how many of them belong to the depressed classes? What is the reason for the paucity of the depressed class teachers in these schools?

The Hon'ble Rai Rajeshwar Bali: (a) Nineteen, of whom six belong to depressed classes.

(b) Lack of qualified candidates.

*30. **Babu Rama Charana** : How many teachers are there in the board's ordinary schools of Lucknow district, and how many of them belong to the depressed classes? What is the reason for the paucity of the depressed class teachers in them?

The Hon'ble Rai Rajeshwar Bali : (a) Four hundred and seventy-seven, of whom four belong to depressed classes.

(b) Lack of qualified candidates.

SCHOLARSHIPS TO DEPRESSED CLASS BOYS.

*31. **Babu Rama Charana** : With reference to unstarred question No. 38 of June 27, 1927, will the Government be pleased to state—

- (1) why do the district boards other than those mentioned in the answer not give scholarships to the depressed class boys? Do they grant scholarships to boys belonging to classes other than the depressed? If so, why and what is the annual amount they spend on this account;
- (2) the amount spent by each board mentioned in the statement of June 27 on the scholarships of boys of classes other than the depressed?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer given to starred question No. 43 for October 29, 1927. As to the latter part of the question, the honourable member is referred to columns 51, 63, 74 and 85 of the expenditure statements published with Government resolution No. 582/IX—290, dated August 3, 1927, on the report of the working of district boards of these provinces for the year 1925-26.

Copy of starred question No. 43 asked by BABU RAMA CHARANA on October 29, 1927, and of its reply.

QUESTION.

* Will the Government be pleased to name the boards which "give scholarships to boys from the depressed classes to continue their studies in middle schools" and to give reasons for non-grant of such scholarships in the rest of the boards? How many such cases are there? What amount did such boards spend on this account in the year under report?

ANSWER.

* A statement is laid on the table of the honourable member. The reasons are lack of qualified candidates and want of funds.

(See Appendix E, page 473.)

EXPENDITURE OF DISTRICT BOARDS ON DEPRESSED CLASSES.

*32. **Babu Rama Charana** : Will the Government consider the desirability of earmarking amounts of money equal in proportion to the population of the depressed and other classes to be spent by the district boards of these provinces? If not, why not?

The Hon'ble Rai Rajeshwar Bali : No, the suggestion is not a practicable one.

*33 and 34. **Babu Rama Charana** : [Postponed at the request of Government till the first day of the next meeting of the Council.]

COMPULSORY PRIMARY EDUCATION AMONG DEPRESSED CLASSES.

*35. **Babu Rama Charana**: Will the Government be pleased to state if the local bodies who have introduced compulsory primary education in their areas or who are going to introduce such education have made any provision for applying compulsion to the depressed class boys also? If not, why not?

The Hon'ble Rai Rajeshwar Bali: The law does not discriminate between various communities as regards compulsion.

ENTRUSTING CRIMINAL TRIBES TO DEPRESSED CLASS ASSOCIATIONS.

*36. **Babu Rama Charana**: Will the Government be pleased to consider the advisability of entrusting the reform of criminal tribes to depressed class associations and individuals? If not, why not?

*37. Will the Government be pleased to state if the men sent from these provinces to the Andaman Islands to reform the depressed class deportees of that settlement consist of depressed classes? If not, will the Government be pleased to consider the advisability of sending such men in future? If not, why not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: *36 and *37. Government will be prepared to examine any concrete proposals if and when they are made.

PROMOTION AND ALLOWANCE TO PROCESS-SERVERS, PEONS AND DAFTARIS OF ADDITIONAL JUDGES, SMALL CAUSE COURT, LUCKNOW.

*38. **Babu Rama Charana**: Will the Government be pleased to state if the process-servers, orderly peons and daftaris of the court of the First and Second Additional Judges, Small Cause Court, Lucknow, applied to the Government through the Hon'ble the Chief Judge of the Chief Court of Oudh for promotion and allowance? If so, what action has been taken by the Government or the Chief Court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) No.
(b) Does not arise.

DISPOSAL OF EDUCATIONAL GRANTS MADE TO NON-OFFICIAL BODIES

*39. **Babu Rama Charana**: (a) With reference to the answer to my starred question No. 17, dated June 22, 1927, will the Government be pleased to state how these non-official bodies dispose of the grants given to them?

(b) Do they maintain schools? If so, how many, and what is the number of scholars in each of these schools?

(c) Do all the scholars in these schools belong to the depressed classes? If not, what is the number of the depressed class scholars and the number of scholars belonging to classes other than the depressed in them?

(d) Do the teachers in these schools belong to the depressed classes?

The Hon'ble Rai Rajeshwar Bali: (a) They maintain schools for the depressed classes.

(b), (c) and (d) A statement is placed on the table of the honourable member.

(See Appendix F, page 474.)

*40. **Babu Rama Charana**: With reference to the answer to my starred question No. 18 of June 22, 1927, will the Hon'ble the Minister for Education be pleased to state the reason why no reports are called for from the non-official bodies? Do Government intend to do so in future?

The Hon'ble Rai Rajeshwar Bali: The reports from inspecting officers are considered to be sufficient. No.

*41. **Babu Rama Charana**: With reference to the answer to my starred question No. 19 of June 22, 1927, will the Government be pleased to lay on the table a copy of each of the inspection reports of these non-official bodies?

The Hon'ble Rai Rajeshwar Bali: The reports are intended for the guidance of the schools concerned and not for publication.

DEPRESSED CLASS SCHOOL, BINDKI, FATEHPUR.

*42. **Babu Rama Charana**: Is it a fact that in the Bindki depressed class school of Fatehpur where there is a depressed class teacher the number of scholars is 22, whereas in Hardon school where there is a Thakur teacher the number of depressed class scholars is only one. Will the Government be pleased to state if there is any other reason for the paucity of attendance in the Hardon school than that the teacher does not take interest in depressed class education?

The Hon'ble Rai Rajeshwar Bali: No. Bindki school has fifteen and Hardon school five depressed class scholars. The teacher in Hardon school is reported by the chairman of the Fatehpur district board to be a Singroar and not a Thakur. Government are not aware of the reasons for the difference in the enrolment.

*42-A. **Babu Rama Charana**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MAINTENANCE OF A DEPRESSED CLASS SCHOOL BY MUNICIPAL BOARD, FATEHPUR.

*43. **Babu Rama Charana**: Is it a fact that not a single depressed class school is maintained by the municipal board, Fatehpur? If so, what is the reason for the same? Is no grant given to the board for depressed class education? If not, why not? If any grant is given, what is the amount and how is it disposed of by the board?

The Hon'ble Rai Rajeshwar Bali: (a) Yes.

(b) The chairman reports that there is no pressing demand for one and that funds are not available to make separate provision for the education of the depressed classes.

(c) No.

(d) Grants are not given to municipal boards specially for the depressed classes.

(e) Does not arise.

NUMBER OF DEPRESSED CLASS SCHOOLS UNDER THE DISTRICT BOARD, FATEHPUR.

*44. **Babu Rama Charana**: (a) Is it a fact that there are only three depressed class schools in the district board of Fatehpur? If so, what is the reason for the paucity?

(b) How many scholars are there in the depressed class schools? Do all of them belong to the depressed classes? If not, how many of them belong to high classes?

(c) How many teachers are there in these schools, and how many of them belong to the depressed classes?

The Hon'ble Rai Rajeshwar Bali : (a) No. Five.

(b) 139. No. 65.

(c) Five. Three.

***45 and 46. Babu Rama Charana :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

GRANT TO DISTRICT BOARD, RAE BARELI, FOR NIGHT SCHOOLS IN VILLAGES.

***47. Babu Rama Charana :** With reference to the answer to my starred question No. 1 of June 23, 1927, will the Hon'ble the Minister for Education be pleased to say if he intends to give additional grant to the district board, Rae Bareli, for the purpose of opening the night schools of village Pastaur and other villages?

The Hon'ble Rai Rajeshwar Bali : The question of the distribution of funds available for the opening of night schools is being settled by the Education department in consultation with the Co-operative department.

SUPERVISOR FOR DEPRESSED CLASS SCHOOLS.

***48. Babu Rama Charana :** With reference to the answer to my starred question No. 7 of June 23, 1927, will the Government be pleased to state—

(a) when were the two supervisors appointed and what caste do they belong to; and

(b) whether there was no supervisor previous to their appointment?

The Hon'ble Rai Rajeshwar Bali : (a) January, 1927. They are high caste Hindus.

(b) There was one.

SUPERVISOR, DISTRICT BOARD, ETAH.

***49. Babu Rama Charana :** With reference to the answer to my starred question No. 8 of June 23, 1927, will the Hon'ble the Minister for Education be pleased to state when the last supervisor of the district board, Etah, was discharged from service and when was his post filled?

The Hon'ble Rai Rajeshwar Bali : In September, 1926 and January, 1927, respectively.

***50. Babu Rama Charana :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

DEPRESSED CLASS SCHOOLS IN BAHRAICH.

***51. Babu Rama Charana :** (a) Will the Government be pleased to state the number of depressed class schools under the district and municipal boards of Bahraich?

(b) How many scholars are there in each of such schools and how many of them belong to the depressed classes?

(c) Why have scholars belonging to classes other than the depressed been admitted in these schools?

(d) How many teachers are there in these schools and how many of them belong to the depressed classes? Why have teachers belonging to classes other than the depressed been appointed in these schools?

(e) How many supervisors are there and how many of them belong to the depressed classes? If there be no depressed class supervisor, will the Government be pleased to give the reason therefor?

(f) Were the posts of teachers and supervisors advertised in the press before appointments were made?

The Hon'ble Rai Rajeshwar Bali : (a) District board eleven, municipal board none.

(b) A statement is laid on the honourable member's table.

(c) There is no rule under which boys can be excluded on the ground of caste.

(d) Twelve. None. For lack of qualified teachers belonging to the depressed classes.

(e) None. The boards have discretion to appoint the most suitable persons available.

(f) No.

(See Appendix G, page 474.)

GRANTS TO DISTRICT AND MUNICIPAL BOARDS, BAHRAICH.

*52. **Babu Rama Charana :** What are the annual grants given to the district and municipal boards of Bahraich? Did these boards spend the whole amount of the grants last year? If not, what was the saving and how was it disposed of?

The Hon'ble Rai Rajeshwar Bali : Rupees 1,43,550 and Rs. 1,685. Yes.

Does not arise.

*53 to 55. **Babu Rama Charana :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

REPRESENTATION OF DEPRESSED CLASSES IN GARHWAL DISTRICT BOARD.

*56. **Babu Rama Charana :** (a) Will the Government be pleased to state if it is a fact that there never has been a member of the depressed classes in the Garhwal district board? (b) If so, why?

The Hon'ble Nawab Muhammad Yusuf : (a) Yes.

(b) Because no suitable member of the depressed classes was available.

DEPRESSED CLASS SCHOOL IN GARHWAL DISTRICT.

*57. **Babu Rama Charana :** Will the Government be pleased to state if it is a fact that there never has been a single depressed class school in Garhwal district? If so, why? Is no grant given to the district board of Garhwal? If any grant is given, what is its amount and how is it disposed of?

The Hon'ble Rai Rajeshwar Bali : Yes. The board has not opened one. Grants for vernacular education are given to the board. The minimum expenditure prescribed for depressed class education for the year is Rs. 700 per annum. In 1925-26 the board spent Rs. 595 on

scholarships for depressed class boys. The balance of Rs. 105 was credited to the board's education fund for depressed classes.

***58. Babu Rama Charana :** Do Government intend to direct the district board, Garhwal, to start a sufficient number of depressed class schools staffed by depressed class teachers and with a depressed class supervisor? If not, why not?

The Hon'ble Rai Rajeshwar Bali : No, the matter is one for the board's initiative who must decide the manner by which education among the depressed classes can best be advanced.

Pandit Iqbal Narayan Gurtu : Has the department of Education prepared any list of the castes in these provinces that are classified as depressed classes?

The Hon'ble Rai Rajeshwar Bali : I do not think we have got a list.

Pandit Venkatesh Narayan Tivary : Is it not a fact that a list of such castes was prepared in 1917 by the department of Education under instructions from the Government of India?

The Hon'ble Rai Rajeshwar Bali : I want notice.

Pandit Iqbal Narayan Gurtu : Whom does Government recognize as depressed class?

The Hon'ble Rai Rajeshwar Bali : This a vague term, and as I have said many times we have not yet been able to define it.

Pandit Iqbal Narayan Gurtu : Is it the poorer classes among the Hindus?

The Hon'ble Rai Rajeshwar Bali : The more backward classes.

Pandit Iqbal Narayan Gurtu : Backward in education and economically?

The Hon'ble Rai Rajeshwar Bali : I believe so.

Pandit Iqbal Narayan Gurtu : Although they are not untouchables?

The Hon'ble Rai Rajeshwar Bali : I am afraid I cannot say that

GRANT OF LAND TO SHILPKAR SABHA, KUMAUN.

***59. Babu Rama Charana :** Will the Government be pleased to state if it is a fact that the Shilpkar Sabha, Kumaun, applied to the Commissioner of the division for grant of land for founding colonies thereon? If so, why was the application not granted? Were lands for similar purposes granted to high class Hindus?

The Hon'ble Sir Sam O'Donnell : No application for land for the foundation of a colony has been made, and no land for this purpose has been granted to high class Hindus.

TRAINING OF A DEPRESSED CLASS CANDIDATE IN NORMAL SCHOOL, ALMORA.

***60. Babu Rama Charana :** Will the Government be pleased to state if the Chairman, district board, Naini Tal, recommended a depressed class candidate for training in the Normal school, Almora, with the remark that preference be given to the candidate even though he had passed the vernacular final examination in the III division? If so, why was the recommendation of the Chairman disregarded?

The Hon'ble Rai Rajeshwar Bali : (a) The Chairman recommended the admission of the candidate.

(b) The candidate was admitted.

DEPRESSED CLASS SUPERVISOR, NAINI TAL.

*61. **Babu Rama Charana :** Is it a fact that the depressed class supervisor, Naini Tal district board, applied for admission into the Training College, Agra? Was he qualified for admission? If so, why was his application not granted?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Yes.

(c) The best available candidates are selected.

CASTES DEBARRED FROM ADMISSION INTO POLICE FORCE.

*62. **Babu Rama Charana :** Will the Government be pleased to state what castes are debarred from admission into the police force?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Criminal or gipsy tribes.

Thakur Manjit Singh Rathor : Why were they debarred?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reason is obvious.

Thakur Manjit Singh Rathor : Has not one member of the depressed classes been produced who is fit?

The Hon'ble the President passed on to the next question.

GRANTS FOR DEPRESSED CLASS EDUCATION TO LOCAL BODIES.

*63. **Babu Rama Charana :** Will the Hon'ble the Minister for Education be pleased to lay on the table a statement showing the amount of annual grants given to each of the local bodies of these provinces for depressed class education and the sums spent by each in the year 1926-27, and in case of any savings a statement as to how the savings have been utilized?

The Hon'ble Rai Rajeshwar Bali : Grants to local bodies are not earmarked for the education of the depressed classes, but each district board is required to spend a minimum amount on the education of the depressed classes. Savings are utilized on buildings and equipment. The latest figures of actual expenditure are those given in column 90, page 19 of the report for 1925-26 on the working of the district boards.

RAI SAHIB CHAUDHRI HARI RAM SINGH OF THE AGRICULTURAL SERVICE, PARTABGARH.

*64. **Thakur Shiva Shankar Singh :** Has Rai Sahib Chaudhri Hari Ram Singh, at present a member, Subordinate Agricultural Service, Partabgarh, been degraded from the post of a Divisional Superintendent of Agriculture to one of the lowest grade of subordinate service, i.e., from Rs. 300 to Rs. 140 per mensem?

The Hon'ble Thakur Rajendra Singh : Rai Sahib Chaudhri Hari Ram Singh was appointed to officiate as Divisional Superintendent in the United Provinces Agricultural Service on March 20, 1923. He relinquished

this appointment under the rules when he proceeded on leave on March 31, 1924. He was absent without authorized leave from July 15 to September 11, 1924. He returned to his permanent appointment in the first grade of the Subordinate Agricultural Service on Rs. 270 per mensem on September 12, 1924. He was reduced by the orders of Government after careful consideration of the charges brought against him and his explanation in regard to them to the fourth grade, Rs. 195 per mensem, with effect from July 15, 1924. On November 14, 1926, after another departmental inquiry on fresh charges of accepting employment, for which he was paid a salary while on leave on medical certificate without obtaining sanction during the months of January, February, March, April and May, 1926, he was reduced to the sixth grade, Rs. 140 per mensem.

***65. Thakur Shiva Shankar Singh:** What were the charges levelled against him?

The Hon'ble Thakur Rajendra Singh: (i) Serious financial irregularities at the Benares farm. For the details the honourable member is referred to paragraph 4 of the audit report for 1924-25.

(ii) Accepting the employment for which he was paid salary while on leave on medical certificate and not obtaining proper sanction as required by paragraph 524 of the Manual of Government Orders during the months of January, February, March, April and May, 1926.

***66. Thakur Shiva Shankar Singh:** Was any inquiry made about the charges against him?

The Hon'ble Thakur Rajendra Singh: Full inquiry was made in each case.

***67. Thakur Shiva Shankar Singh:** Which officer conducted the inquiry?

The Hon'ble Thakur Rajendra Singh: The Director of Agriculture.

***68. Thakur Shiva Shankar Singh:** Was the inquiry made in his presence? If not, why?

The Hon'ble Thakur Rajendra Singh: The charges were communicated to him and his explanation taken. He was given an opportunity of appearing before the investigating officer and making any further statement he wished. In the first inquiry he wrote that he did not wish to do so. In the second inquiry he was given an opportunity of appearing before the investigating officer and making any further statement. He appeared, but offered no further explanation.

***69. Thakur Shiva Shankar Singh:** Were the records of his office checked in his presence? If not, why?

The Hon'ble Thakur Rajendra Singh: He was given an opportunity of examining his office books in the presence of the Director of Agriculture, but declined to do so.

***70. Thakur Shiva Shankar Singh:** Was Chaudhri Hari Ram Singh informed of the charges levelled against him? If not, why?

The Hon'ble Thakur Rajendra Singh: Yes.

***71. Thakur Shiva Shankar Singh:** Was his explanation of the charges taken from him? If not, why?

The Hon'ble Thakur Rajendra Singh : Yes.

*72. **Thakur Shiva Shankar Singh :** (a) Did the Rai Sahib apply to the Director of Agriculture to supply him with a copy of the full text of his case ?

(b) If so, was it supplied to him ? If not, why ?

The Hon'ble Thakur Rajendra Singh : The Rai Sahib applied for a copy of the papers connected with his case and was supplied with the relevant papers, as required under article 375, Manual of Government Orders.

*73. **Thakur Shiva Shankar Singh :** Will the Government be pleased to lay before the Council a copy of the Rai Sahib's above application together with a copy of the Director's order upon it ?

The Hon'ble Thakur Rajendra Singh : As stated in reply to question no. 72, just answered, a copy of the relevant papers was supplied to the Rai Sahib by the orders of the Director of Agriculture.

*74. **Thakur Shiva Shankar Singh :** Did the Secretary, All-India Jat Mahasabha, ask the United Provinces Government for a copy of the charges levelled against the Rai Sahib ? Was it supplied ? If not, why ?

The Hon'ble Thakur Rajendra Singh : The Mahasabha did ask the Government for a copy of the charges, but its request was not granted. It is not the practice of Government to supply copies of such documents to outside bodies.

UNITED PROVINCES CLERKS' ASSOCIATION, MEDICAL DEPARTMENT.

*75. **Babu Uma Shankar :** Is it a fact that the United Provinces Clerks' Association, Medical department, approached the Government several times for increase in the pay of civil surgeons' clerks ?

*76. Is it also a fact that in reply to the first representation the Government said that on account of financial stringency the Government was unable to take up the question of increase of their pay ?

*77. Is it further a fact that on their representation next time, the Government said that the demand of increase in their pay was received too late for inclusion in the schedule of new demands ?

*78. Is it a fact that the clerks for a third time submitted a representation for the increase of their pay in 1926 much before the time fixed for the consideration of new demands ?

*79. Will the Government be pleased to say if the late Inspector-General of Civil Hospitals, Lieut.-Colonel A. W. R. Cochrane, in his triennial report, paragraph II of the Civil Hospitals and Dispensaries of the United Provinces for 1923-1924-1925 regretfully noted that the pay of the clerks remained unaltered ?

The Hon'ble Rai Rajeshwar Bali : *75 to *79—Yes.

*80. **Babu Uma Shankar :** Will the Government be pleased to say if the Government intends to consider the question of increase of their pay this year ? If not, why not ?

The Hon'ble Rai Rajeshwar Bali : No. After careful consideration Government have come to the conclusion that in view of more urgent

demands they cannot take up the case for an increase in the pay of civil surgeons' clerks.

AGRICULTURAL COLLEGE, CAWNPORE.

*81. **Babu Uma Shankar :** (a) Is it a fact that in the Agricultural College, Cawnpore, students who are not successful in the first year for the first time are not allowed to read in the college again?

(b) Will the Government be pleased to say how many such students have not been allowed to read in the college this year?

The Hon'ble Thakur Rajendra Singh : (a) No. Each case is considered by the Governing Body separately and only students who fail in two or more subjects and whose records indicate that it is useless for them to continue are refused permission to take the course again.

(b) Three students out of a class of thirty in the first year of the diploma course and five students out of a class of twenty-six in the first year of the vernacular course.

*82. **Babu Uma Shankar :** (a) Is it a fact that a lecturer in English for the Agricultural College, Cawnpore, was wanted and the post advertised?

(b) Will the Government be pleased to give the number of applications received for the post?

(c) Is it also a fact that some of the applicants were M.A. with honours in English and some had foreign qualifications also?

(d) Will the Government be pleased to state the name and the qualifications of the man appointed?

(e) Will the Government be pleased to say who makes the appointment?

(f) Will the Government be pleased to state the reasons of preference given to the man appointed over those who were M.A. with honours in English or had foreign qualifications?

(g) Is it also a fact that a post of Zoology lecturer is vacant in the said college?

(h) Will the Government be pleased to say if the post has been advertised?

(i) Will the Government be pleased to give the number of applications received?

(j) Will the Government be pleased to say if any man has been appointed? If so, kindly state his name, qualifications and reasons of preference over more qualified persons, if any?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) 76.

(c) Yes.

(d) Mr. Muhammad Khalil Ahmad, B.A., LL.B.

(e) The Director of Agriculture.

(f) The selection was made on the basis of teaching experience. Suitability for teaching English to the students in the two years' vernacular course and ability to organize the athletic side of the Agricultural college were also taken into consideration.

(g) No.

(h), (i) and (j) The post was advertised but the permanent incumbent was permitted to withdraw his resignation.

Pandit Govind Ballabh Pant : Did the Director of Agriculture consult any educational expert in making the appointment?

The Hon'ble Thakur Rajendra Singh : I am not aware.

Pandit Govind Ballabh Pant : How many M. A's in English applied for this post?

The Hon'ble Thakur Rajendra Singh : I must ask for notice.

Pandit Govind Ballabh Pant : How many who applied had foreign qualifications?

The Hon'ble Thakur Rajendra Singh : I must ask for notice.

Pandit Govind Ballabh Pant : Had the gentleman appointed any experience in the teaching line?

The Hon'ble Thakur Rajendra Singh : Yes. He was lecturer in the Christ Church College, Cawnpore.

Pandit Govind Ballabh Pant : How long had he been lecturer there?

The Hon'ble Thakur Rajendra Singh : I do not know.

Pandit Govind Ballabh Pant : Is it the intention of Government that in future whenever appointments are made the Director of Agriculture will consult the Director of Public Instruction or some other person?

The Hon'ble Thakur Rajendra Singh : Such appointments are made by the head of the department concerned.

Pandit Govind Ballabh Pant : Is there any rule to this effect?

The Hon'ble Thakur Rajendra Singh : I cannot say.

Khan Bahadur Hafiz Hidayat Husain : Is it not a fact that Muhammad Khalil has teaching experience extending over 2 years? Is it not a fact that he was Lecturer of English in the Christ Church College for over 2 years?

The Hon'ble Thakur Rajendra Singh : Yes.

Khan Bahadur Hafiz Hidayat Husain : Did any of the applicants possess any teaching experience?

The Hon'ble Thakur Rajendra Singh : No.

*83. **Babu Uma Shankar :** (a) Is it also a fact that there are ten seats reserved in the Agricultural College, Cawnpore, for the sons of taluqdars and zamindars?

(b) Will the Government be pleased to state how many of the reserved seats have been allotted to the sons of the Hindu and Muslim zamindars and taluqdars?

The Hon'ble Thakur Rajendra Singh : (a) There is a special boarding house containing ten sets of rooms for which a rent of Rs. 8 per man is charged. The rooms are usually allotted to the sons of taluqdars and

zamindars. Each set contains more than one room and arrangements can be made by mutual agreement for two or more students to be accommodated in one set.

(b) The following students have been allotted special quarters :—

				<i>Hindus.</i>	<i>Muslims.</i>
1924	...	...	...	9	1
1925	...	...	...	11	2
1926	...	...	...	9	4
1927	...	...	...	11	4

*84. **Babu Uma Shankar :** (a) Is it a fact that there is a separate Imperial officer in the Gardening department in the Cawnpore Agricultural college known as the Deputy Director of Gardening?

(b) Will the Government be pleased to enumerate the duties of the said officer?

(c) Is it also a fact that there is another man known as assistant professor and district horticulturist to assist him in the college?

(d) Will the Government be pleased to say if the students are taken on horticulture tour in the district? If not, why not?

(e) In order to make his teaching more efficient, will the Government be pleased to state if the man appointed in the college to teach horticulture is given facility to go out in the districts and study the local conditions of the province?

The Hon'ble Thakur Rajendra Singh : (a) No. The Deputy Director of Gardens is stationed at Saharanpur.

(b) The Deputy Director of Gardens is in charge of the administration and technical supervision of all government gardens in the United Provinces.

(c) Does not arise.

(d) The students of the Agricultural College make tours in the province once during the cold weather to visit the government farms. The question of including government gardens in their tour will be considered.

(e) The lecturer in horticulture cannot tour during the college session.

TAHSILDARS AND KOTWALS IN BAREILLY.

*85. **Babu Uma Shankar :** Will the Government be pleased to state for how many years there have been Muslim city kotwals and tahsildars in Bareilly?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Information as regards the tahsildar has not yet been received, and a reply will be given later.

Thirty-three years.

*86. **Babu Uma Shankar :** Will the Government be pleased to say why no Hindu kotwal or tahsildar has been posted to Bareilly?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Information as regards the tahsildar has not yet been received, and a reply will be given later.

As regards the kotwal the honourable member is referred to the reply given to starred question No. 13 for November 1, 1927.

Starred question no. 13 for November 1, 1927 and answer thereto.

QUESTION.

Will the Government be pleased to state why no Hindu city kotwal has been appointed in Bareilly for the last thirty years or more.

ANSWER.

Presumably because the most suitable officer available, when a vacancy occurred, was a Muslim.

***87. Babu Uma Shankar :** Will the Government be pleased to state the population of the Hindus and Muhammadans in Bareilly city?

The Hon'ble Sir Sam. O'Donnell : The honourable member is referred to the Census Report of 1921.

***88. Babu Uma Shankar :** Will the Government be pleased to consider the advisability of posting Hindu tahsildars and kotwals in Bareilly city in future? If not, why not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Information as regards the tahsildar has not yet been received, and a reply will be given later.

Government will select the best men irrespective of communal considerations,

DACOITIES IN FATEHPUR DISTRICT.

***89. Babu Uma Shankar :** Will the Government be pleased to say how many dacoities took place in Fatehpur district in 1924, 1925, 1926 and 1927? How many of them were armed dacoities? In how many of them were the accused challaned?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement is laid on the table of the honourable member.

(See Appendix H, page 475.)

***90. Babu Uma Shankar :** Will the Government be pleased to say whether any action was taken against the police officers in whose circles the number of dacoities increased? If not, why not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Variations in statistics of crime do not necessarily reflect on the conduct of the police officers in whose circles they occur, and the judging of police work by purely statistical tests is prohibited in the Police Regulations on the recommendation of the Indian Police Commission of 1902-3 as objectionable and detrimental to real efficiency.

CASE OF AN ORPHAN GIRL AT BAREILLY.

***91. Babu Uma Shankar :** (a) Is it a fact that a minor Hindu orphan girl of Bareilly orphanage was missing from Bareilly between January and June, 1927?

(b) Is it a fact that a report was made in Bareilly that the minor girl named Ketki was missing?

(c) Is it a fact that the girl was first handed over to the Hindus of Naini Tal by the magistrate?

(d) Will the Government be pleased to say what led the magistrate to take back the girl from the Hindus and to give the girl to the Muhammadans?

(e) Will the Government be pleased to say what is the age of the girl?

(f) Is it also a fact that the Hindus of Naini Tal applied that the girl be handed over to them or to the Bareilly orphanage?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) Yes.

(c) Yes.

(d) The magistrate did not take back the girl from the Hindus and give her to the Muhammadans. The girl was unwilling to return to the orphanage. She was told that she might go where she liked; and that if the orphanage had a claim to her they might legally enforce it.

(e) She appears to be about 14 years of age though she says she is 19 years.

(f) Yes.

Thakur Manjit Singh Rathor: Was it desirable that the authorities should allow the girl to go anywhere she liked?

Hon'ble Sir Sam O'Donnell: It is doubtful whether the girl is a minor. She says she is between 17 and 19 years old.

Thakur Manjit Singh Rathor: The answer to part (a) shows that the Government admit that the girl was a minor.

The Hon'ble Sir Sam O'Donnell: The answer to part (a) may seem to imply that she was a minor. It really is intended to show that she was an orphan.

Thakur Manjit Singh Rathor: What action did Government take? I mean on the application of the Hindus of Naini Tal or any Hindus that the girl should be sent to a Hindu institution?

The Hon'ble Sir Sam O'Donnell: I do not remember any application to Government.

Thakur Manjit Singh Rathor: What action did the magistrate take on the application of the Hindus of Naini Tal?

The Hon'ble Sir Sam O'Donnell: I presume it is stated in the answer to part (d) of the question.

Thakur Manjit Singh Rathor: Did the Government approve of the answer given by the magistrate?

The Hon'ble Sir Sam O'Donnell: Yes, I think it is quite correct.

Thakur Manjit Singh Rathor: What led the Government to think that the girl was about 14 years of age? Was she medically examined?

The Hon'ble Sir Sam O'Donnell: I am not aware of it.

Thakur Manjit Singh Rathor: Under the circumstances did the Government approve of the reply given by the magistrate to part (d) of the question?

The Hon'ble Sir Sam O'Donnell: I have just said 'yes'.

*92 and *93. **Chaudhri Vijai Pal Singh**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

WARBANDI IN MEERUT DIVISION.

*94. **Chaudhri Vijai Pal Singh**: Will the Government be pleased to state the number of applications for *warbandi* in Meerut division, Ganges canal, which have not yet been disposed of though filed more than six months back?

The Hon'ble Sir Sam O'Donnell: Of ninety-six such "warbandis", fifty-three have been sanctioned and orders issued for completion, whilst forty-three are under inquiry.

Ex officio MEMBERS OF MUNICIPAL EXCISE ADVISORY COMMITTEES OF HAPUR AND GHAZIABAD.

*95. **Chaudhri Dharamvir Singh**: (a) Are any *ex officio* members appointed to Municipal Excise Advisory committees?

(b) If so, what *ex officio* members are appointed?

(c) Have all the *ex officio* members required to be appointed been so appointed to the Municipal Excise Advisory committees of Hapur and Ghaziabad?

(d) If not, in what particular respects has the departure been made and what are the grounds for such a departure?

The Hon'ble Thakur Rajendra Singh: (a), (b) and (c) The honourable member is referred to rule 94 (1) (iii) (iv) of the Supplement to the Excise Manual. *Ex officio* members are not required to be appointed by any separate order. They hold office by virtue of their election to the Legislative Council or by virtue of appointment as excise officer of the district.

(d) Does not arise.

*96. **Chaudhri Dharamvir Singh**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

KAKORI PRISONERS.

*96-A. **Chaudhri Dharamvir Singh**: Will the Government be pleased to supply the following additional information in respect of each of the Kakori prisoners—

(i) His age and his educational qualifications.

(ii) The kind of diet at present given to him.

(iii) The departure, if any, made on account of his social position, health, and other causes, from the ordinary prison diet, and from the rules applicable to ordinary prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (1) A statement showing the age of each of these convicts is laid on the table. For their educational qualifications the honourable member is referred to the statement given in answer to starred question no. 75 on October 29, 1927.

& (3) Under the jail rules no special treatment is given in the jails round of social position. Under rules which are applicable to all

prisoners, Nos. 2, 6, 7, 15, 16 and 19 are being given rice diet, no. 1 milk, No. 17 milk and sugar, and No. 18 rice, wheat *ata*, *gur*, and *dalia*; the remaining eleven are receiving the ordinary diet.

(See Appendix I, page 475.)

Lala Nemi Saran : Is it a fact that under the Jail Manual prisoners can be classified according to their social status?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Not according to their social status.

Lala Nemi Saran : Is it a fact that there are some Indian prisoners who are admitted to European wards on account of their social standing?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware. If the honourable member will give me any specific instances I will be able to give a reply.

Lala Nemi Saran : Am I to understand that these prisoners are given the same privileges in the jail as European prisoners are given?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know what the privileges are to which my honourable friend refers.

Lala Nemi Saran : Is there any distinction between the diet given to European prisoners and the diet given to Indian prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There are fixed diets.

Lala Nemi Saran : Am I to understand that such of the Kakori prisoners as are of high social standing are given the same diet as the European prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As I have already stated, under the jail rules no special treatment is given in the jails on the ground of social position.

Babu Bhagwati Sahai Bedar : Why do not the Indian prisoners get the same diet as the European prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Because Indians do not eat the same food as the Europeans at home.

Lala Nemi Saran : Is the same labour taken from these prisoners as from the European prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Lala Nemi Saran : Will the Government kindly inquire into the matter?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think it is necessary.

Babu Bhagwati Sahai Bedar : Are the Government aware that Prem Kishan Khanna is used to European diet?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, I am not aware.

Babu Bhagwati Sahai Bedar : Are the Government aware that his grandfather is a civil surgeon and his father an executive engineer, and that the whole family lives in European style?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of all this.

Babu Bhagwati Sahai Bedar : Will the Government kindly inquire into the matter, and in case they find this information to be correct, will they give to Prem Kishan Khanna the same diet as to European prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This, to my mind, is too hypothetical a question.

Pandit Govind Ballabh Pant : Is any of them given special diet on medical grounds?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member will read the replies to parts (2) and (3) of the question he will find a reply there.

Chaudhri Dharamvir Singh : Is there any difference between the quality of diet given to Indian prisoners and European prisoners?

The Hon'ble the President : We have had this question more than once.

Thakur Manjit Singh Bathor : On what grounds the Government has refused to grant them special division treatment?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the rules relating to the special division prisoners.

Thakur Manjit Singh Bathor : Is the Government aware that a large number of these prisoners are graduates and hold a good social position?

No reply.

Pandit Govind Ballabh Pant : Are these prisoners maintaining good health or has any one of them lost in weight?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot say. If the honourable member will give notice I will make inquiries about their weight.

Babu Bhagwati Sahai Bedar : Is the Government aware that one of the prisoners who was interned in Bengal was given European diet there? His name is Rajendra Nath Lahiri.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of that.

Babu Bhagwati Sahai Bedar : Will the Government kindly inquire?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no need to inquire.

KIDNAPPING OF BOYS, GIRLS AND WOMEN.

*97. **Chaudhri Dharamvir Singh :** (a) Between March 31, 1923, and March 31, 1927, how many cases of kidnapping of boys, girls and women were reported to the police and how many of such cases were taken cognizance of by the police itself?

(b) How many of the total number of cases asked in (a) were such in which the accused was a Hindu and the victim a Muhammadan?

(c) In how many cases out of the total asked in (a) the accused was a Muhammadan and the victim a Hindu?

(d) In how many of the total asked in (a) the accused was a Christian and the victim a Hindu?

(e) In how many of the total number of cases asked in (a) the accused was a Hindu and the victim was also a Hindu?

(f) In how many of the total number of cases asked in (a) the accused was a Muhammadan and the victim was also a Muhammadan?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: To collect the information required by the honourable member will involve an amount of labour which would be disproportionate to its value. For such information as is easily available the honourable member is referred to statement "A," published as an appendix to the Annual Police Administration Report.

* 98. **Chaudhri Dharamvir Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MURDER OF A PRISONER IN BENARES JAIL.

* 99. **Chaudhri Dharamvir Singh:** (a) Is the Government aware of a case in one of the Benares jails in which a prisoner was beaten with dandas by certain jail warders on the head and the injuries received were so serious that the skull was broken and the victim succumbed to the injuries inflicted, the occurrence having taken place somewhere in the month of July, 1927?

(b) What was the name of the victim, the period for which he was convicted, the place of his residence and the offence for which he was convicted?

(c) What are the names of the persons who were directly or indirectly responsible for the murder of the prisoner and what action has the Government taken or does it propose to take against such persons?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The facts, which were brought to the notice of Government at the time, are as follows:—

On July 4, 1927, the superintendent of the Benares central prison, was holding a parade of habitual prisoners. He was accompanied by the head jailer and other officials of the jail. While this parade was going on one Gulzari, resident of Jaswantnagar in the Etawah district, a prisoner who was under-going a sentence of eleven years' rigorous imprisonment under sections 379, 75 and 376, India Penal Code, and 109, Criminal Procedure Code rushed forward from his place in the line and attempted to attack the head jailer. The head jailer in stepping back slipped and fell and the convict attempted to attack him as he lay on the ground. Warders and convict warders intervened and in the ensuing scuffle one Pudai, a convict warder, struck Gulzari on the head with his baton. The injury so caused appeared to be slight, but the condition of the convict rapidly became serious and he died the same evening. A *post mortem* examination was made and a magisterial inquiry held. The medical evidence showed that the deceased had an unusually thin skull and that in consequence death had resulted from a comparatively trivial blow. The finding in the magisterial inquiry was that the death of the convict was accidental and the convict warder Pudai was accordingly exonerated, and no action has been taken against him.

Babu Sampurnanand : Was an attempt made to find out why this convict attacked the head jailer ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We do not know. As I have said in the reply a magisterial inquiry was held and I think by Mr. Mehta himself.

Mr. Mukandi Lal : Was that inquiry made in the court or inside the jail ?

Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I believe the inquiry was held inside the jail by the District Magistrate himself.

Babu Sampurnanand : Was evidence recorded in this case by the Magistrate as regards the real facts or was only a summary inquiry held inside the jail ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think the Magistrate recorded some evidence in the jail.

Babu Sampurnanand : Is the Hon'ble the Home Member aware that an inquiry was made by the Deputy Magistrate, and not by the Magistrate himself, after the man's death ?

The Hon'ble Lieut. Nawab Muhammad Sa'id Khan : What I remember is that Mr. Mehta himself went there and the Deputy Magistrate conducted the inquiry.

Babu Sampurnanand : Is the Government certain that any statement was taken from the man before his death such as a dying declaration ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No dying declaration was taken or made.

Mr. Mukandi Lal : Has the Government been told by the persons concerned the exact thickness of this unusually thin skull ?

(No reply.)

Babu Sampurnanand : Was any attempt made to find out if the special prisoners or other prisoners in jail had any particular prejudice against this jailor ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We could not find out anything.

Babu Sampurnanand : Does Government intend to hold an inquiry into this matter about the treatment of this head jailor towards prisoners ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Mr. Mukandi Lal : Was he with crossbars on his legs at the time ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware, but I think he could not have been in cross bars, or he would not have been able to knock down the jailor like this.

Babu Sampurnanand : Has the jailor been transferred ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think he has been transferred : I am not sure.

Lieut. Raja Kali Charan Misra : Was there any special reason for attacking this head jailor on July 4, 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No reason has been discovered.

Chaudhri Dharamvir Singh : Is the Hon'ble the Home Member in a position to tell the House what was approximately the number of warders and convict warders who attacked this particular prisoner?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I require further notice.

Babu Sampurnanand : Is the Hon'ble the Home Member aware that the district magistrate never went to the jail at all in connexion with this matter?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think he did.

Mr. Mukandi Lal : How soon after this attack was the victim examined by the doctor?

(No reply.)

Pandit Govind Ballabh Pant : Did any other prisoner receive any injury in the course of the scuffle?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Pandit Govind Ballabh Pant : Was the case tried judicially by any magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, it was not tried in any judicial court.

Chaudhri Dharamvir Singh : Does the Government justify the action of this warder who felled this prisoner with a baton on his head?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : On the matter before us we do think there was something else which caused him to do so.

Thakur Manjit Singh Rathor : Are the Government satisfied that the information brought to their notice is correct?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Thakur Manjit Singh Rathor : Do the Government know that a large section of this Council are inclined to doubt the information given to the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know whether they doubt it, but I know that they themselves do not know definitely what happened.

Mr. Mukandi Lal : How soon after the man's death was the inquiry held?

The Hon'ble the President : Are we not going into too minute details?

Mr. Mukandi Lal : Sir, it is a question of life and death of a man.

Thakur Manjit Singh Rathor : Did the Government ask the opinion of the non-official visitor Babu Kavendra Narayan about this incident?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There was no need to ask him; besides he was not present.

Thakur Manjit Singh Rathor : Does the Government propose to hold a further inquiry into the matter?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : An inquiry was made and the magistrate came to this conclusion. The Collector made the report to us and not the jail authorities; therefore, I do not think any inquiry is necessary.

Mr. A. P. Dube : *Prima facie*, the man being dead, it was for those who killed him to make out a plea of self-defence?

The Hon'ble the President : I am afraid that question is out of order.

Pandit Govind Ballabh Pant : What was the exact nature of the injuries received?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : He got some injuries on his head by a baton.

Pandit Govind Ballabh Pant : How many?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think one.

Pandit Govind Ballabh Pant : Was there any medical examination?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : After the *post mortem* a medical examination was made and the medical report showed that his skull was unusually thin and therefore it broke.

Pandit Govind Ballabh Pant : The medical report must have given particulars of the nature of the injury. Will the honourable member please state what the particulars are in the report?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Mr. A. P. Dube : Was there haemorrhage of the brain?

(No reply.)

Chaudhri Dharamvir Singh : Were not the requirements of the case such that it would have been sufficient for the warders and convict warders to hold this particular prisoner back and not to beat him?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : He was not beaten.

Pandit Bhagwat Narain Bhargava : Has the Government inquired whether this prisoner was maltreated by the head jailor before this incident?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have not made any inquiry, but we know this for certain that he was not badly treated.

Pandit Bhagwat Narayan Bhargava : Is the Government in a position to know the reason why this attack was made on the head jailor?

The Hon'ble the President : I think there has already been a number of supplementary questions and I think we should pass on to the next question.

VEGETABLE GHI.

*100. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state the maundage of consumption of the so-called vegetable ghi in the United Provinces in the years 1923, 1924, 1925 and 1926?

The Hon'ble Thakur Rajendra Singh : The information is not available.

Chaudhri Dharamvir Singh : Will the Government be pleased to collect the information now?

The Hon'ble Thakur Rajendra Singh : It is very difficult to collect.

Chaudhri Dharamvir Singh : Is the Government aware of the process of adulteration going on in the rural areas in which genuine ghi is mixed with this vegetable product?

The Hon'ble the President : This does not arise out of the question on the paper.

COMPENSATION TO THE FAMILY OF THE PRISONER BEATEN TO DEATH IN BENARES JAIL.

*101. **Chaudhri Dharamvir Singh :** What compensation does the Government propose to give or has it given to the family of the prisoner beaten to death in Benares jail in July last, referred to in question no. 99?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As the convict's death was caused in the exercise of the legal right of private defence against the attack which he was himself making on the head jailer, no question of compensation arises.

* 102. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

AMERICAN MACHINE FOR *kachcha* ROADS.

* 103. **Dr. Shafa'at Ahmad Khan :** Have the Government placed any order for the purchase of the American machine for the construction of *kachcha* roads? Were any tenders invited in America? How many machines have been ordered, and at what price?

The Hon'ble Nawab Muhammad Yusuf : No. The Russell Grader Company of Minneapolis have sent two road-grading machines for demonstration purposes. Government have not bought them.

Lala Nemi Saran : Are Government arranging any demonstrations?

The Hon'ble Nawab Muhammad Yusuf : I am informed that a demonstration has been given at Cawnpore and we are now having demonstrations at Lucknow as well and any honourable member who is interested in them can see for himself.

CONVERSION OF BHOWALI INTO A HEALTH RESORT.

* 104. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have any scheme in hand with regard to the conversion of

Bhowali into a health resort? If so, will the Government be pleased to lay the details of the scheme on the table?

The Hon'ble Rai Rajeshwar Bali : The matter is still under consideration and nothing has yet been decided.

Mr. C. Y. Chintamani : What is the matter under consideration?

The Hon'ble Rai Rajeshwar Bali : Whether Bhowali should be made a health resort or not?

Mr. C. Y. Chintamani : Is it the general question under consideration, or is it any particular scheme?

The Hon'ble Rai Rajeshwar Bali : There are a number of schemes connected with the Bhowali town area.

Mr. C. Y. Chintamani : Will the Government give an assurance that they will publish any schemes which they intend to undertake before action is actually taken on them?

The Hon'ble Rai Rajeshwar Bali : I am sure the scheme will have to be brought before the Council because the money will have to be voted,

PROVINCIALIZATION OF ROADS.

***105. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement containing the views of every district board with regard to the provincialization of certain roads in these provinces? Have the Government arrived at any decision with regard to their scheme of provincialization of roads?

The Hon'ble Nawab Muhammad Yusuf : (a) The honourable member is referred to the answer to starred Council question No. 61 (a) of October 31, 1927.

(b) No.

Copy of starred Council question no. 61 of October 31, 1927, and the answer given thereto.

QUESTION.

***61. (a)** Will the Hon'ble Minister lay on the table the full texts of the opinions of district boards on the recent circular letter relating to the resumption by the Government of control over roads?

(b) Were the Government's proposals placed for consideration before (i) this Council's advisory committee on local self-government, (ii) the Board of Communications, and (iii) the Finance Committee?

(c) If "yes," did the first two approve of the proposals?

(d) Will the opinions of the first two be placed on the table?

ANSWER.

***(a)** Yes, when all have been received.

(b) No.

(c) & (d) Do not arise.

GOVERNMENT'S ACTION ON CUTS MADE BY THE COUNCIL IN THE SUPPLEMENTARY ESTIMATES.

***106. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay a statement on the table showing the action taken by the Government with regard to (1) the nominal, and (2) the substantial "cuts" made by the Council in the supplementary estimates presented last June?

The Hon'ble Sir Sam O'Donnell: A statement containing the information is laid on the table.

(See Appendix J, page 476.)

GOVERNMENT'S ACTION ON RESOLUTIONS PASSED BY THE COUNCIL
IN JUNE, 1927.

***107. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a statement on the table showing the action taken by the Government with regard to the resolutions passed by the Council last June?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

(See Appendix K, page 478.)

RECOMMENDATIONS OF THE REFORMS INQUIRY COMMITTEE.

***108. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a statement on the table showing the action taken by the Government on the recommendations of the majority report of the Reforms Inquiry Committee in so far as provincial Governments are concerned?

The Hon'ble Sir Sam O'Donnell: The answer is in the negative. The Muddiman Committee's recommendations were made to the Governor General in Council and not to this Government. The Local Government were asked for their opinion on certain recommendations, but the correspondence is confidential.

SINKING FUND.

***109. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state if they have decided to create a sinking fund to extinguish the prereform irrigation debt? If the answer be in the negative, will the Government be pleased to state the reason?

The Hon'ble Sir Sam O'Donnell: This Government have made proposals for the gradual extinction of this debt, but have not yet received a final reply from the Government of India.

DEVELOPMENT BOARD.

***110. Dr. Shafa'at Ahmad Khan:** When was the Development Board instituted? How many meetings of the board were held this year?

The Hon'ble Thakur Rajendra Singh: In 1921.

None.

***111. Dr. Shafa'at Ahmad Khan:** What schemes has the board formulated? Has any scheme been given effect to?

The Hon'ble Thakur Rajendra Singh: Many matters of importance have been discussed but no definite schemes have been formulated or been given effect to.

COMMITTEE ON MUSLIM *waqfs*.

***112. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state the terms of reference and mention the personnel of the committee on Muslim *waqfs*?

The Hon'ble Rai Rajeshwar Bali : The matter is still under consideration.

Hafiz Muhammad Ibrahim : May I know what is under consideration—whether the terms of reference or the personnel of the committee?

The Hon'ble Rai Rajeshwar Bali : Both the terms of reference and the personnel.

Hafiz Muhammad Ibrahim : How long will it take to arrive at a decision?

The Hon'ble Rai Rajeshwar Bali : We will soon be able to announce the committee.

MUSLIM HEAD MASTERS IN GOVERNMENT HIGH SCHOOLS.

*113. **Dr. Shafa'at Ahmad Khan :** (a) What is the number of Muslim head masters in the Government high schools in these provinces?

(b) Why is their number so small?

The Hon'ble Rai Rajeshwar Bali : (a) Six.

(b) Muslim assistant masters are not yet senior enough to be considered for headmasterships.

DIRECTOR OF PHYSICAL INSTRUCTION.

*114. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have appointed a Director of Physical Instruction? If so, on what pay?

The Hon'ble Rai Rajeshwar Bali : The question is under consideration.

*115 and *116. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of the Government till the first day of the next meeting of the Council.*]

*117 and *118. **Thakur Hukum Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

*119 to *121. **Pandit Badri Dutt Pande :** [*Postponed at the request of the Government till the first day of the next meeting of the Council.*]

SUPERVISION OF MULES BY CLERKS AND DRAFTSMEN OF ALMORA FOREST DIVISION.

*122. **Pandit Badri Dutt Pande :** (1) Have clerks and draftsmen of the Almora Forest division to look after the departmental mules that are stationed at Simtola, Almora?

(2) Have they to go to Simtola (about three miles from Almora) every day?

(3) Are they given any extra allowance for this duty?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No—(1) the mules are looked after by their syces.

(2) No—when the mules are not on tour, which is during about one of the year, one clerk or draftsman is deputed to go daily to see that the syces are doing their work properly, thus each out three times a month.

(3) No—the duty is done during office hours and is not of an onerous nature.

Pandit Badri Dutt Pande: Is it a part and parcel of the clerical duties to look after the mules?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No, it is not a part and parcel of the clerical duties, but when there is no work, it is done during office hours.

Pandit Badri Dutt Pande: Are they to be called clerks or mule-teers?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As the honourable member may like.

Pandit Badri Dutt Pande: Could that work not be entrusted to forest guards and executive officers and not to clerks?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not know. If it is more convenient to entrust the work to somebody else, perhaps the Chief Conservator will consider the matter.

Pandit Badri Dutt Pande: Does the Government know that this is causing hardship to the clerks who have to go three and six miles and come back every day?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I will ask the Chief Conservator to look into the matter.

INTERMEDIATE COLLEGE, ALMORA.

*123. **Pandit Badri Dutt Pande:** (1) Were any representations received by the Government from the people of Almora asking that double sections be opened in all the remaining classes of the Intermediate College, Almora?

(2) If so, what action has Government taken in the matter?

The Hon'ble Rai Rajeshwar Bali: (1) Yes.

(2) An extra section has been opened in class III for the present.

*124. **Pandit Badri Dutt Pande:** Is a new building going to be erected in the Government Intermediate College, Almora? If so, what is the estimate of the same and when is money to be provided for it?

The Hon'ble Rai Rajeshwar Bali: Yes. Rupees 42,582. In 1925-29 if funds are available.

*125. **Pandit Badri Dutt Pande:** Is the Government aware that the boarding-house attached to the Government Intermediate College, Almora, is insufficient to accommodate all the students who wish to live as boarders?

The Hon'ble Rai Rajeshwar Bali: Yes.

*126. **Pandit Badri Dutt Pande:** Is it a fact that some senior students are accommodated in an old building which is in a very bad state of repair?

The Hon'ble Rai Rajeshwar Bali: No.

*127. **Pandit Badri Dutt Pande:** (1) Is school fee for a full term charged from students who join a Government school on the re-opening of the school after the summer or winter vacations even for one day and then leave it?

(2) Is this rule enforced by private institutions as well?

(3) Is such a fee chargeable even if the head of the institution is informed in writing by the guardian immediately one day after the student has joined the school that the student likes to go elsewhere?

*128. Will the fee for a full term be charged even when the attendance of a student *for one day* only has not resulted in the refusal of admission to any other candidate?

*129. Is it incumbent for a student to pay the full fee for a term *as well as games fee* when he has only attended a class for one day without the filing of any written application for admission?

The Hon'ble Rai Rajeshwar Bali: The honourable member is referred to paragraph 118 of the Educational Code.

FOREST DIVISIONS IN THE UNITED PROVINCES.

*130. **Pandit Badri Dutt Pande:** How many divisions (forests) are there in the United Provinces yielding two lakhs revenue and how many that do not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Eleven divisions yield more and eight less than Rs. 2 lakhs of gross revenue. Six yield more than Rs. 2 lakhs surplus and thirteen less.

*131. **Pandit Badri Dutt Pande:** Will the Government be pleased to state how many of these are in charge of junior officers and how many under senior officers?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: If the term junior officer is taken to include I. F. S. officers with less than ten years' service and P. F. S. officers, the answer is seven senior and twelve junior.

*132. **Pandit Badri Dutt Pande:** (a) Will the Government be pleased to state since when the Working Plan division and Sylvicultural division were started?

(b) Will the Government be pleased to state what was the system before these were started?

(c) Will the Government be pleased to state why the Kumaun circle is not paying?

(d) Is it a fact that high-salaried officers are kept in Kumaun division?

(e) Will the Government be pleased to state if Dehra Dun rangers do get charge of Forest divisions in Kumaun? If so, how many are in charge of divisions?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) 1919-20.

(b) Before that working plans were of an elementary type prescribed for twenty to thirty years and did not lead to the full revenue being obtained nor to the proper treatment of the forests. Research work was practically non-existent.

(c) In the years 1924-25 and 1925-26 combined the Kumaun circle yielded an average annual surplus of Rs. 62,000 per annum. In the

year 1926-27 the surplus was Rs. 36,224 and for the year 1927-28 a surplus of Rs. 96,000 is anticipated.

(d) In Kumaun circle the gazetted staff consists of—

One conservator on Rs. 1,750 per mensem.

One deputy conservator on Rs. 1,000 per mensem.

One " assistant " " 925 "

One " " " 525 "

One extra assistant conservator on Rs. 750 per mensem.

The average pay of the divisional officers is Rs. 800 per mensem against Rs. 1,159 in the Western circle and Rs. 930 in the Eastern circle. Also the divisions are few in number for the area and there are no gazetted assistants.

(e) Officers of the I. F. S. or P. F. S. who began their service as rangers are eligible for forest divisions in any circle. One such officer is now holding a division in Kumaun circle.

FOREIGN LIQUOR LICENCE AT BHIM TAL.

*133. **Pandit Badri Dutt Pande:** (a) Is it a fact that a foreign liquor licence has been granted by Government at Bhim Tal?

(b) Is it a fact that the advisory board did not recommend any licence to be given at Bhim Tal?

(c) Is it a fact that many a time some person or other applied for a licence and the Government refused it?

(d) To whom is the present licence granted and who were the former applicants?

The Hon'ble Thakur Rajendra Singh: (a) No new foreign liquor licence was granted at Bhim Tal, but a hotel licence was converted into an " off " licence.

(b) No; the advisory board had no objection to the grant of an " off " licence at Bhim Tal at their meeting on May 20, 1927.

(c) As far as is known, no one other than Mrs. Peachey ever applied for a foreign liquor licence of any class at Bhim Tal, nor was any such application ever refused by the Government.

(d) Mrs. Peachey, Bhim Tal, was granted an " off " licence after she had surrendered her hotel licence. There were no previous applicants.

PAY OF MR. RAYNOR, DIVISIONAL FOREST OFFICER, NAINI TAL.

*134. **Pandit Badri Dutt Pande:** (a) What is the present pay of Mr. Raynor, divisional Forest officer, Naini Tal Forest division?

(b) Is it a fact that Government are proposing to increase his salary?

(c) What are the special qualifications of this officer?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Rs. 925.

(b) Mr. Raynor comes under the incremental scale of pay laid down for the I. F. S.

(c) Mr. Raynor is a B. A. of Oxford University and received a special forest training at Oxford. His qualifications are the same as those of other officers appointed to the I. F. S. by the Secretary of State.

DOUBLE TAXATION ON THE PEOPLE OF JOHAR, ALMORA.

*135. **Pandit Badri Dutt Pande**: Reference the speech of the Hon'ble the Finance Member, page 1113 of the United Provinces Council Proceedings, dated March 30, 1927, has inquiry been made about the double taxation that is realized from the people of Johar in the Almora district? If so, with what results?

The Hon'ble Sir Sam O'Donnell: An inquiry has been made: there is no double taxation. The land revenue is assessed on the same assets as in all past settlements, consisting partly of cultivation and partly of pasturage. The revenue is distributed in two different ways to ensure the fairest possible results: on the cultivation it is distributed by a rate on the cultivated *bigha* and on the pasturage by the number of head of cattle belonging to each co-sharer which graze on it in each year. When the Bhotias leave their own territory and graze their animals in Government forest they pay the usual grazing dues like any one else.

*136. **Khan Bahadur Hafiz Hidayat Husain**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

INSTRUCTIONS TO POLICE ON RECRUITMENT TO BE HAVE IMPARTIALLY IN COMMUNAL MATTERS.

*137. **Khan Bahadur Hafiz Hidayat Husain**: Are any instructions given or oath administered to the police rank and file on recruitment to behave impartially in communal matters. If not, have Government considered the desirability of such oath being administered?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The Government have recently approved of the distribution to police recruits of ten printed rules of conduct, one of which prescribes impartiality in matters of caste and religion. They have also approved of a form of oath to be administered to police recruits in which they bind themselves to the honest, diligent, and faithful discharge of the duties and responsibilities of police officers.

PROCESSION OF RAJGADDI.

*138. **Khan Bahadur Hafiz Hidayat Husain**: (1) Is it a fact that on August 28, 1927, the procession of *Rajgaddi* was to march through the Bareilly town and the important place *en route* was Malukpur mosque?

(2) Did the District Magistrate of Bareilly provide for the procession to pass this mosque before the *maghrib* prayers?

(3) Were the City Magistrate Mr. Chakravarti and sub-inspector Juma Prasad put in charge of this procession?

(4) Was the procession also accompanied by mounted guards under a subedar? What is the name of this Subedar and what was the strength of this guard?

*139. (1) Did the procession pass the mosque before the *maghrib* prayers?

(2) If not, why was the order of the district magistrate not carried out by the magistrate in charge?

*140. (1) Was there any firing before the mosque and who issued the firing?

- (2) Were any shots fired at the mosque? If so, by whom?
- (3) Were any buckshots picked from the walls of the mosque?
- (4) How many rounds were fired?

(5) How many Muslims died as a result of this firing and how many were wounded from the same cause?

*141. (1) Is it a fact that sub-inspector Jumna Prasad closed the gate of the mosque shutting the Muslims who were inside the mosque for their *maghrib* prayers?

(2) Were these Muslims arrested subsequently? How many of them were arrested and on what charge?

*142. Is it a fact that a week before this incident the Muslims sent a registered application to the district magistrate complaining against sub-inspector Jumna Prasad for inciting chamars to use the wells in the city used by the Muslims?

*143. Why did the district magistrate, the superintendent of police or the kotwal not accompany this procession?

The Hon'ble Sir Sam O'Donnell: *138 to *143. As a number of cases connected with these riots are pending in court, Government do not think it fitting to make any statement during the pendency of such cases.

INDUSTRIAL SCHOOL AT BISWAN.

*144. Rai Bahadur Lala Mathura Prasad Mehrotra: (a) Is the Government aware that the industrial school at Biswan is going to be located at a place outside the town?

(b) If it is so, will the Government be pleased to see the advisability of locating it in the heart of the town for the convenience of the students?

The Hon'ble Thakur Rajendra Singh: The proposed aided industrial school at Biswan will be housed in the old opium godown which is situated outside but not far from the town. The Government are satisfied that it is the most suitable building available.

*145. Rai Bahadur Lala Mathura Prasad Mehrotra: (a) What amount of aid does the Government propose to give to this school and for what purposes will it be utilized?

(b) Who will have the authority to sanction expenses?

(c) Will it be under a governing body? If so, who will have the authority to nominate members and what procedure will be adopted in case of death or disability of its members, viz., election or nomination again?

The Hon'ble Thakur Rajendra Singh: (a) The question is under the consideration of Government and no decision has yet been arrived at.

(b) The authority will be the same as in other aided schools, viz., the body which finances and controls the school.

(c) Government have no information: these are questions for the authorities of the school to decide.

*146. Rai Bahadur Lala Mathura Prasad Mehrotra: (a) Does the Government propose to give aid for its building or recurring expenses or

for both? If it is for both, what is the total amount and what are its details?

(b) How many scholarships are to be awarded?

(c) What hand will the Government have in the institution and what is the security, if any, for its grant towards building?

The Hon'ble Thakur Rajendra Singh: (a) The matter is still under consideration.

(b) Government have no information.

(c) The Government will have the same power of control and supervision as they have over other aided industrial schools.

RESOLUTION OF RAJA RAGHURAJ SINGH.

*147. **Rai Bahadur Lala Mathura Prasad Mehrotra:** Will the Government be pleased to state if the resolution of Raja Raghuraj Singh Sahib that was adopted on June 27, 1927, has been given effect to?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the reply to starred question No. 108 for November 1, 1927.

Question and reply referred to in the answer to starred question No. 147 of November 2, 1927.

QUESTION.

* What action has the Government taken on the resolution of Raja Raghuraj Singh regarding entries in the police registers?

REPLY.

* No action has been taken.

BISWAN TOWN AREA IN SITAPUR.

*148. **Rai Bahadur Lala Mathura Prasad Mehrotra:** (a) Is the Government aware that Biswan town area (district Sitapur) fulfils the conditions required for a notified area from population and other points of view?

(b) If it is so, do Government intend to raise it from the town area to a notified area at an early date?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) There is no such proposal before the Government.

*149 to *151. **Mr. Mukandi Lal:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PANCHAYAT FORESTS IN KUMAUN.

*152. **Mr. Mukandi Lal:** When was the first proposal made to the Government regarding the panchayat forests in Kumaun?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: In October, 1921.

*153. **Mr. Mukandi Lal:** When did the Kumaun Forest Committee recommend to the Government the formation of panchayat village communal forests?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: In June, 1925.

*154. **Mr. Mukandi Lal**: What action has the Government so far taken on such recommendations?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: In October, 1926, the Government sent a deputy collector on special duty to Madras to inquire into the system of communal forests and to submit a report. The report has been received, published in the Gazette, and considered by the Government. The same officer has been deputed for a period of three months from October 1, 1927, to investigate the possibilities of communal management of forests in Kumaun.

*155. **Mr. Mukandi Lal**: Did the Kumaun Forest Committee submit any draft rules? If so, when were they submitted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes; in October, 1925.

*156. **Mr. Mukandi Lal**: When did the special officer submit his report regarding his visit to Madras communal forests?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: On January 31, 1927.

*157. **Mr. Mukandi Lal**: What action has been taken since on it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the reply to question No. 154.

*158. **Mr. Mukandi Lal**: When does Government propose to start the work of organizing the panchayat forests in Kumaun?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government are unable to say till they receive the report of the officer on special duty to investigate the question.

DIVIDED CO-PARCENARY FAMILIES.

*159. **Mr. Mukandi Lal**: Is Government aware of the fact that "divided co-parcenary families" is the general rule in Garhwal even without formal partition between co-sharers?

The Hon'ble Sir Sam O'Donnell: It is a fact that joint families in Garhwal often divide up their land but take no such action whatever to get the divisions recorded in the records by applying for partition. In the absence of such applications the revenue staff cannot be officially cognizant of their separation.

*160. **Mr. Mukandi Lal**: Is Government aware that if all shareholders or co-sharers are not recorded in revenue papers (as they were recorded before) thousands of voters will be disfranchized in Garhwal?

The Hon'ble Sir Sam O'Donnell: No.

*161. **Mr. Mukandi Lal**: Is it a fact that the number of voters in 1926 as compared to that of 1923 was considerably decreased as the result of new system of assessment and preparing of revenue papers?

The Hon'ble Sir Sam O'Donnell: The number of voters was less in 1926 than in 1923 but this was due, not to the new system of assessment and record work, as the voters' lists were prepared from the old and not from the new papers. The reduction was due to observance of paragraph 2, schedule II, of the United Provinces Electoral Rules.

* 162. **Mr. Mukandi Lal** : Is it the intention of the Government to issue instructions to the settlement officer of Garhwal to the effect that he should give in the revenue records (*fants* and *muntkives*) the names of all co-sharers, e.g., *shikmis* with the *hissadars* and *khaikars*, as was done at the time of the last settlement and assist the individual co-sharers?

The Hon'ble Sir Sam O'Donnell : New records are not being prepared in Garhwal except in pargana Barhsyun. In pargana Barhsyun the *shikmi* lists have been prepared exactly in the same manner as at the previous settlement. In other parganas the old *muntakhib* will remain as a historical record and the *phant*, so far as the names of co-sharers are concerned, will be an exact copy of the previous *phant* amended by the mutations which these sharers have got recorded.

APPOINTMENTS IN THE ARTS AND SCIENCE DEPARTMENTS OF THE ALLAHABAD UNIVERSITY.

* 163. **Khan Bahadur Hafiz Hidayat Husain** : Will the Government be pleased to inquire and state the total number of appointments of—

- (1) professors,
- (2) readers, and
- (3) lecturers

for the Arts and Science departments of the Allahabad University (other than Oriental languages and the Indian vernaculars) since the organization of the university?

The Hon'ble Rai Rajeshwar Bali : (1) Two.

(2) Sixteen.

(3) Thirty-one.

* 164. **Khan Bahadur Hafiz Hidayat Husain** : (i) Will the Government be pleased to inquire and state if the selection committees for the Arts and Science departments of the Allahabad University (other than Oriental languages and Indian vernaculars) have recommended any Muslim candidate for appointment as—

- (1) professor,
- (2) reader, and
- (3) lecturer

since the organization of the university?

(ii) If the answer to (i) be in the affirmative, will the Government be pleased to state the number of appointments made, the names of the persons appointed, the office to which they were appointed, and the year of their appointment?

(iii) If the answer to (i) be in the negative will the Government be pleased to give reasons for exclusion of the Muslims?

The Hon'ble Rai Rajeshwar Bali : (i) (1) No.

(2) No.

(3) Yes.

(ii) One Muslim candidate, Mr. Nayar Laig Ahmad, was offered the post of Lecturer in History during the year 1927, but he declined the offer.

(iii) Appointments are not made by the university on a communal basis, but on the basis of qualifications.

MURDERS OF RESPECTABLE HINDU CITIZENS.

*165. **Rai Bahadur Lala Jagdish Prasad.** (a) Has the attention of the Government been drawn to the fact that of late there have been cases of murders of respectable Hindu citizens in these provinces, such as at Pilibhit and Bahraich?

(b) Do Government intend to make an inquiry as to whether these are the acts of individual fanatics or are the outcome of some regular conspiracy?

(c) What steps are the Government taking, or do they propose to take, to prevent such occurrences in future?

The Hon'ble Sir Sam O'Donnell: (a) and (b) The police are already making inquiries into the murders at Bahraich and Pilibhit.

(c) Every effort is being made and will be made to bring the crime home to the culprits.

APPOINTMENT OF ASSESSORS FOR SESSIONS COURTS.

*166. **Rai Bahadur Lala Jagdish Prasad:** (a) What is the principle underlying the appointment of assessors for sessions courts?

(b) Is it not a fact that persons are sometimes compelled to act as assessors against their will and that their resignations are not easily accepted?

(c) Is it not a fact that assessors are generally recruited from people of quite ordinary education?

(d) Do the Government intend to consider the advisability of appointing assessors from the class of lawyers or from amongst those who are well conversant with the law of the land and may be willing to serve as such?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the provisions of sections 319 and 320 of the Code of Criminal Procedure.

*167. **Mr. Mukandi Lal:** [*Withdrawn by the honourable member.*]

*168 and *169. **Mr. Mukandi Lal:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EDUCATION OF DEPRESSED CLASS STUDENTS.

*170. **Babu Rama Charana:** How many students belonging to the depressed classes are there in the colleges of these provinces?

*171. (a) Are any of them enjoying the privilege of freeship?

(b) Are any of them getting scholarships? If not, why not?

*172. Is there any student belonging to the depressed classes reading in the Canning college, Lucknow? If so, is he getting any scholarship or enjoying freeship? If not, why not?

*173. How many students belonging to the high class Hindus are—(a) free, (b) in receipt of scholarships, and (c) both free and in receipt of scholarships in the different colleges of these provinces?

The Hon'ble Rai Rajeshwar Bali : *170 to *173. Detailed information is not available. Freeships are given by college authorities mainly on grounds of poverty, subject to satisfactory progress in studies; scholarships are awarded on grounds of merit.

*174. **Babu Rama Charana :** Will the Government be pleased to state why no grants are given to the depressed classes associations themselves (which go by the name of Adi Hindu Sabhas) for the expansion of primary education among depressed classes? Will Government consider the advisability of making such grants in future to them?

The Hon'ble Rai Rajeshwar Bali : Such funds as are available can best be utilized by assisting local bodies.

*175. **Babu Rama Charana :** What is the result of the inquiry referred to in the answer to my starred question No. 36 of June 22, 1927, and what are the reasons for a fresh inquiry when they are already given at page 41 of the general report on public instruction for the year ending March 31, 1926, viz., the district boards of Benares division, especially Jaunpur and Ghazipur boards, have deliberately discouraged depressed class education?

The Hon'ble Rai Rajeshwar Bali : Government made inquiries in order to ascertain the reasons for the decrease. The main cause of the decrease was due to fictitious enrolment in Ballia in 1924-25 but in Jaunpur and Ghazipur there was a decrease in the number of schools for the depressed classes. The Jaunpur board reports that the decrease was due to lack of funds. The Ghazipur board says that it was due to the fact that there was no supervisor in 1925-26: the board has now appointed a supervisor.

*176 to *185. **Babu Bhagwati Sahai Bedar :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

JUDGEMENT OF MR. C. S. VENKATACHAR IN A CRIMINAL CASE.

*186. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to place on the table a copy of the judgement of Mr. C. S. Venkatachar, I.C.S., District Magistrate of Budaun, in the criminal case in which certain vakils of Budaun and jail officials of the Bareilly and Benares central jails have been convicted and sentenced to various terms of imprisonment from one to four years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. If the honourable member wishes to see the judgement he may obtain a copy of it on payment in the ordinary way by application to the District Magistrate of Budaun.

FORGERIES OF JAIL REGISTERS.

*187. **Khan Bahadur Maulvi Fasih-ud-din :** What precautions has the Government taken to prevent the recurrence of the wholesale corruption of jail officials and the commission of a series of forgeries in the jail registers in future and what safeguards have been provided in the new Jail Manual now under print?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No. Forgeries of jail registers took place, and therefore the question of preventing their recurrence does not arise. As regards precautions against

the corruption of jail officials Government consider that the most effective deterrent is the infliction of adequate sentences in cases where corruption is proved to have taken place

***188. Khan Bahadur Maulvi Fasih-ud-din :** What steps has the Government taken to punish those jail officials who could not come within the four corners of the Penal Code, but who were palpably guilty of gross misconduct and dereliction of duty?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It has not been proved that any jail officials except those found guilty and sentenced by the court were guilty of misconduct and dereliction of duty.

***189. Khan Bahadur Maulvi Fasih-ud-din :** (a) Is it a fact that the jail officials of Bareilly frequently allowed Lal Bahadur, who has since been convicted, to visit certain persons in the jail against the rules? (b) If so, who was primarily responsible for the affair?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.
(b) Does not arise.

***190A. Thakur Gulab Singh :** *[Postponed at the request of Government till the first day of the next meeting of the Council.]*

RURAL IMPROVEMENT FUND.

***181A. Babu Sampurnanand :** (a) How many co-operative banks have any money credited to the rural improvement fund? (b) What is the total amount? (c) Have any instructions been issued by the registrar as to the utilization of the fund?

The Hon'ble Thakur Rajendra Singh : (a) Thirty-two.

(b) Rupees 1,05,911.

(c) Yes.

***182A. Babu Sampurnanand :** What amount has been spent out of the rural improvement fund or its predecessors, the special fund, the organization fund or the propaganda fund, during the last three years and for what purposes?

The Hon'ble Thakur Rajendra Singh : A sum of Rs. 76,756 has so far been spent out of the funds in question : Rs. 41,941 has been spent on works of public utility, e.g., construction of wells, tanks, bridges, roads, etc., and Rs. 6,983 in the organization of new societies ; Rs. 5,326 has been transferred to the reserve fund of the newly-organized societies and Rs. 11,414 has been deposited with the banks and the interest accruing thereon is to be utilized in awarding scholarships.

PROVISION FOR LABOURERS PULLING PUNKHAS FOR EUROPEAN CONVICTS.

***183A. Babu Sampurnanand :** From what provision in the budget were the labourers who pulled *punkhas* for European convicts last summer paid? How much money was spent for the purpose?

***The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Rupees 321 was spent from the provision for " Other miscellaneous charges."

NEW MANDI AT MUZAFFARNAGAR.

*184A. **Babu Sampurnanand**: What progress has so far been made towards settling the question of the Muzaffarnagar new *mandi*? If the question has been finally settled, will the Government be pleased to lay on the table the terms of settlement?

The Hon'ble Nawab Muhammad Yusuf: It has been decided that the *mandi* will remain a part of the municipality. The question of its development and of the provision of funds for the purpose is still under consideration.

JHANSI MUNICIPAL BOARD.

*185A. **Babu Sampurnanand**: With reference to the remarks about the Jhansi municipal board in the last Government review of the working of municipalities, how much money has the Jhansi municipal board spent during the last two years on tennis courts, libraries, and memorials respectively? What persons or events do the memorials erected by that board commemorate?

The Hon'ble Nawab Muhammad Yusuf: The honourable member is referred to the answer to starred Council question No. 170 of October 29, 1927.

Copy of starred Council question No. 170 for October 29, 1927, and the answer given thereto.

QUESTION.

*170. With reference to the following remarks about Jhansi municipal board published in paragraph 15 of its resolution, dated May 26, 1927, on municipal administration, will the Government be pleased to state how many tennis courts, libraries, and statues has the board constructed, established or erected, during what period and with how much expenditure of public money and what is the percentage of the expenditure on these to its total income:—

“The Jhansi board fritters away its time, energy, and money on tennis courts, libraries, and statues. Possibly this may be due to the protracted absence of the chairman, but it is a bad sign of want of business capacity?”

ANSWER.

*170. The board permanently maintains a public library for which it has provided Rs. 3,890 or about 2 per cent. of its total income in the current year's budget. The library committee at a meeting held on February 17, 1926, passed a resolution recommending the construction of a tennis court and a grant-in-aid of Rs. 8 per mensem to the Lokman Tilak Library at Jhansi. In the budget for 1925-26 the board actually provided Rs. 5,000 for erecting a statue of Maharaaj Lakshmi Bai of Jhansi.

*186 to *189. **Babu Sampurnanand**: [*Postponed at the request of the Government till the first day of the next meeting of the Council.*]

MONUMENTS IN BENARES.

*190. **Babu Sampurnanand**: Are there any preserved monuments in Benares city and Benares district? If so, what are they?

The Hon'ble Sir Sam O'Donnell, Yes. Particulars of them are placed on the table.

(See Appendix L, page 479.)

*191 to *200. **Babu Sampurnanand**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CUSTOM OF CHAHARUM IN BENARES MUNICIPALITY.

*201. **Babu Sampurnanand:** Has the Government received any complaint about the custom of *chaharum* prevalent in certain parts of Benares municipality?

The Hon'ble Sir Sam O'Donnell: Yes, in 1923.

*202. **Babu Sampurnanand:** Did it some years back institute an inquiry as to its history and the desirability of modifying or abolishing it by statute?

*203. If so, to whom was the inquiry entrusted and when did the Government receive his report? What action was taken thereon?

*204. If no action has been taken so far, what is the reason of this? Will the Government be pleased to lay a copy of the report on the table?

The Hon'ble Sir Sam O'Donnell: Government asked the Commissioner to report on the memorials received in 1923. Government after considering his report concluded that there was not sufficient ground for interfering with freedom of contract in the matter of these sites. Government do not consider that anything will be gained if they make public the Commissioner's official report.

ADMINISTRATION OF THE DEPARTMENT OF AGRICULTURE.

*205. **Babu Sampurnanand:** With reference to the statements in paragraph 3, page 10 of the report on the administration of the department of Agriculture for 1926, has any tahsil in Benares district or any other district of the Benares or Gorakhpur divisions been selected for breeding superior cattle?

The Hon'ble Thakur Rajendra Singh: Thirty-two breeding bulls have been located in the Gorakhpur district during the last year with the object of ultimately establishing a controlled breeding area. It has not been possible to undertake concentrated work in the Benares division.

TOWN IMPROVEMENT IN BENARES.

*206. **Babu Sampurnanand:** Has Government recently received any request for a grant from the Benares municipal board for town improvement? If so, what action does it propose to take on such request?

The Hon'ble Rai Rajeshwar Bali: The Government have received telegrams and now await the actual proposals.

*207. **Babu Sampurnanand:** Does Government intend to place any sum at the disposal of the Benares municipal board specially for the purpose of opening up the *pakka* mahal of Benares city or appointing an improvement trust or other agency for the purpose?

The Hon'ble Rai Rajeshwar Bali: The honourable member is referred to the answer to starred questions Nos. 59 and 60 of June 27, 1927.

Copy of starred Council questions Nos. 59 and 60 of June 27, 1927, and the answer given thereto.

QUESTIONS.

*59. Does the Government intend to establish a town improvement trust in Benares? If not, why not?

*60. Is it the intention of the Government to place any amount at the disposal of the Benares municipality for town improvement?

ANSWERS.

*59. It is not possible to establish a town improvement trust in Benares at present owing to financial reasons.

*60. Government have asked the municipal board to prepare regular town improvement projects and will consider the question of a grant when they have been received.

*208 and *209. **Babu Sampurnanand** : *[Postponed at the request of Government till the first day of the next meeting of the Council.]*

NON-BRAHMAN STUDENTS IN THE GOVERNMENT SANSKRIT
COLLEGE, BENARES.

*210. **Babu Sampurnanand** : (a) What is the total number of non-Brahman students who have been on the rolls of the Government Sanskrit college, Benares, during the decade 1916 to 1926? (b) How many such students applied and were refused admission? (c) Are there any such students on the rolls at present?

The Hon'ble Rai Rajeshwar Bali : (a) Thirty-two.

(b) Information is not available.

(c) Five.

ART OF NAQSHBANDI FOR THE BENARES SILK AND BROCADE INDUSTRY.

*211. **Babu Sampurnanand** : (a) Is Government aware that the art of *naqshbandi* for the Benares silk and brocade industry is in a state of decline? (b) Are there any arrangements at the Government Weaving school, Benares, or elsewhere for teaching the art?

The Hon'ble Thakur Rajendra Singh : (a) So far as the Government are aware, the art of *naqshbandi* is not declining.

(b) Training in improved design applicable to this art is included in the course of instruction prescribed for the senior and advanced classes at the Government Central Weaving Institute, Benares.

BENARES BRASS INDUSTRY.

*212. **Babu Sampurnanand** : Is Government aware that the Benares brass industry is steadily on the decline, its place being taken by Jaipur and other places?

The Hon'ble Thakur Rajendra Singh : Yes : The quality of Benares brass-work has been deteriorating and business decreasing.

*213. **Babu Sampurnanand** : Has Government instituted any inquiry as to the causes of this decline? Has it made or does it intend to make any arrangements to teach the Benares brass-workers how to design articles suited to modern tastes and requirements?

The Hon'ble Thakur Rajendra Singh : As a result of a report by the Director of Industries that the deterioration in quality was due partly to efforts to meet the demand for cheap inartistic articles and partly to the action of dealers who controlled the market and forced down prices in order to raise their profits, Government opened a brassware school in Benares in 1925. The school aims at improving designs and at training a class of all-round craftsmen who may be able to do away with much of the present unnecessary sub-division of labour in the industry and market the product themselves.

INDUSTRIES IN BENARES CITY AND DISTRICT.

*214. **Babu Sampurnanand** : What are the industries in Benares city and district which are at present receiving the special attention of the superintendent of industries who has his headquarters at Benares ?

The Hon'ble Thakur Rajendra Singh : The divisional superintendent is not concentrating his attention on any particular industry at present.

*215. **Babu Sampurnanand** : Has he submitted any scheme for the development of any industry in Benares and has Government any such scheme under consideration ?

The Hon'ble Thakur Rajendra Singh : He assisted in framing a scheme to improve the artistic and domestic brassware manufactured at Benares by providing training in improved methods and design.

SCHEME FOR SUPPLYING CHEAP WOOD TO CULTIVATORS.

*216. **Babu Sampurnanand** : Has Government under consideration any scheme for supplying cheap wood or other fuel to cultivators to enable them to use as manure the cow-dung now consumed as fuel ?

The Hon'ble Thakur Rajendra Singh : The answer is in the negative.

*217. **Babu Sampurnanand** : Is (a) Government aware that the soil over a large part of the province is deficient in phosphates ? (b) Has Government under consideration any scheme for supplying phosphates and other artificial manures on easy terms to cultivators ?

The Hon'ble Thakur Rajendra Singh : (a) Yes.

(b) No.

*218. **Babu Sampurnanand** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

UNEMPLOYED PERSONS IN THE PROVINCE.

*219. **Babu Sampurnanand** : Has Government prepared any estimate of the number of unemployed persons in the province, such as are made in foreign countries, e.g., England ?

The Hon'ble Thakur Rajendra Singh : The answer is in the negative.

*220. **Babu Sampurnanand** : If so, what are the numbers of unemployed persons of the following classes :—

(a) graduates,

(b) matriculates, and

(c) vernacular middle-passed men ?

The Hon'ble Thakur Rajendra Singh : No information is available.

JUDGEMENT OF SESSIONS JUDGE OF BENARES IN CASE OF NAROTTAM *versus* KING-EMPEROR.

*221. **Babu Sampurnanand** : Has the attention of the Government been drawn to the following remarks of the Sessions Judge of Benares in the course of his judgement in the revision case *Narottam versus King-Emperor*, dated July 6 last :—" My attention has been drawn to rule 3 where it is laid down that other conveyances may be called to the portico and it is claimed that other conveyances would include private *ekkas*

as opposed to *ekkas* hired as mentioned in rule 2. I must say that the wording of the rule is ambiguous and I would ask the district magistrate to make the rules clear" ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*222. **Babu Sampurnanand :** Has the district magistrate taken the necessary steps to make the rules clear ? If so, in what class have private *ekkas* been put ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. A new rule 4A has been added which makes it clear that private *ekkas* may enter the portico on the arrival of their owners at the railway station.

*223. **Babu Sampurnanand :** Is Government aware if rule 9 of the abovementioned regulations has been complied with ? If so, when was a copy of the rules hung up in the portico and in what languages and characters ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Rule 9 is complied with. Instructions have been issued to the Superintendent, Government Railway Police, to have the notice printed trilingually.

RECOMMENDATIONS MADE BY THE INDIAN ECONOMIC INQUIRY COMMITTEE.

*224. **Babu Sampurnanand :** With reference to the reply given by the Hon'ble the Finance Member to my starred question No. 72 of June 27, 1927, what are the points on which the Government of India have been addressed and when ?

The Hon'ble Sir Sam O'Donnell : The Government of India were addressed in January last about the recommendations made by the committee.

MISS MAYO.

*225. **Babu Sampurnanand :** (a) Is Government aware if Miss Mayo, the authoress of "Mother India" visited these provinces in the course of her Indian tour ? (b) If she did, did she receive any help from police officials or other Government servants in gathering materials for her book ?

The Hon'ble Sir Sam O'Donnell : (a) Miss Mayo's visit to these provinces was private, and Government have no official information. So far as they are aware, Miss Mayo spent about two days in Agra, a few days in Lucknow, and a day in Benares.

(b) Miss Mayo visited various places and institutions of interest, educational, medical, and municipal; and also some villages. She doubtless had conversations with several official and non-official residents. The Government gave no instructions about supplying her with information and cannot say what information she derived and from what sources.

ANNUAL RATE OF ADVANCE OF THE DESERT ON THE SOUTH-WESTERN EDGE OF THE PROVINCE.

*226. **Babu Sampurnanand :** What is the annual rate of advance of the desert on the south-western edge of the province ? What measures have Government so far adopted to stop this advance ?

The Hon'ble Sir Sam O'Donnell : Government are unable to understand the question.

Copy of starred question No. 82 asked by PANDIT GOVIND BALLABH PANT and the reply given on June 24, 1927.

QUESTION.

*(a) Will the Government be pleased to state if any detenus incarcerated under the Bengal Ordinance are located in these provinces? If so, which and where?

(b) Does this Government receive any payment from the Bengal Government for their maintenance?

(c) What arrangements have been made for providing them with necessary comforts?

ANSWER.

*Six detenus under the Bengal Criminal Law (Amendment) Act are in custody in the United Provinces jails. The Government do not consider it desirable to give details about the places where they are detained. The cost of their maintenance is met by the Government of Bengal and arrangements for their comfort are made in accordance with the instructions issued by that Government.

APPOINTMENT OF HINDU KOTWALS.

*231. **Babu Sampurnanand**: Has any Hindu been appointed kotwal in any of the places mentioned in question No. 41 of June 27 since the last session of the Council?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The reply is in the negative.

*232. **Babu Sampurnanand**: What is the total number of officers in the province holding the rank and designation of kotwal? How many of these are Hindus?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There is no such rank as "kotwal" and the designation is often loosely applied to an officer of any rank in charge of a city police station. If the honourable member means permanent, temporary, and honorary deputy superintendent kotwals, the answer is seven, of whom two are Hindus.

APPOINTMENT OF POLICE SUB-INSPECTORS.

*233. **Babu Sampurnanand**: How many new sub-inspectors of police have been appointed (a) by direct recruitment and (b) by promotion during the years 1923 to 1926? How many of these are Hindus? What are the total number of Hindu and non-Hindu applicants for recruitment?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) During the years 1923 to 1926, two hundred and fifty-three new sub-inspectors of police by direct recruitment have been appointed. One hundred and fifty-three of them are Hindus.

(b) During the years 1922 to 1926, one hundred and ten sub-inspectors have been appointed by promotion. Thirty-three of them are Hindus.

Total number of Hindu and non-Hindu applicants for recruitment as sub-inspector cannot be given, as no record is kept.

OFFICERS OF THIS GOVERNMENT LENT TO GOVERNMENT OF INDIA.

*234. **Babu Sampurnanand**: What is the total number of officers of this Government lent to the Government of India, other provincial Governments, and the Governments of Indian States? To what services do these officers belong and to whom have they been respectively lent and for what purposes?

The Hon'ble Sir Sam O'Donnell: A statement is laid on the honourable member's table.

(See Appendix M, page 481.)

UNSTARRED QUESTIONS.

DISTRICTS IN WHICH JURIES FOR THE TRIAL OF CRIMINAL CASES HAVE BEEN ESTABLISHED.

1. **Chaudhri Vijai Pal Singh:** Will the Government be pleased to lay on the table a list of the districts in the United Provinces in which juries for the trial of criminal cases have been established?

Mr. R. L. Yorke: Allahabad, Lucknow, Benares, Cawnpore, Bareilly Fyzabad.

FAMINE INSURANCE FUND.

2. **Chaudhri Dharamvir Singh:** What is the amount of Famine Insurance Fund at present (August, 1927)?

Mr. H. S. Crosthwaite: Rupees 28,30,683.

EXPENDITURE IN SALARIES.

3. **Chaudhri Dharamvir Singh:** (a) Will the Government be pleased to state the total amount of expenditure incurred by the United Provinces Government in paying salaries and pensions, in the year 1926-27, to such of its officials as have been appointed by the Secretary of State?

(b) What was this amount in the year 1918-19?

Mr. H. S. Crosthwaite: (a) Rupees 1,03,87,000 (approximately).

(b) The figure cannot be obtained except by the examination of countless detailed accounts. The Government are not prepared to undertake this examination.

4. **Chaudhri Dharamvir Singh:** [Postponed at the request of Government till the first day of the next meeting of the Council.]

MUNICIPAL EXCISE ADVISORY COMMITTEES.

5. **Chaudhri Dharamvir Singh:** (a) Will the Government be pleased to lay on the table a copy of rules under which Municipal Excise Advisory Committees are constituted?

(b) When were the present Municipal Excise Committees of Hapur and Ghaziabad municipal boards constituted?

Mr. Panna Lal: (a) The honourable member is referred to rule 94 of the Supplement to the Excise Manual.

(b) The present Municipal Excise Committees of Hapur and Ghaziabad held office from January 1, 1928.

CLERKS OF THE JAIL DEPARTMENT.

6. **Thakur Gulab Singh:** Will the Government be pleased to state the basis on which fifty clerks of the clerical branch of the Jail department were promoted to the post of deputy jailer as per circular memo. No 17 of 1925?

Mr. R. L. Yorke : Forty-eight clerks only were promoted. These were selected on the grounds of merit and seniority.

7. **Thakur Gulab Singh :** Will the Government be pleased to lay on the table a complete list of clerks in order of seniority in the clerical branch of the Jail department eligible for promotion to the post of deputy jailer ?

Mr. R. L. Yorke : The list of clerks for which the honourable member asks contains no less than 178 names, and can be seen by the honourable member at the office of the Inspector-General of Prisons, Lucknow.

8. **Thakur Gulab Singh :** Will the Government be pleased to state the names of the clerks who in spite of being senior and eligible for promotion have been superseded by juniors who have been given promotion ?

Mr. R. L. Yorke : A statement is laid on the table.

(See Appendix N, page 487.)

REGISTER OF ATTENDANCE FOR DEPUTY COLLECTORS, MAINPURI COLLECTORATE.

9. **Thakur Gulab Singh :** Will the Government be pleased to inquire whether a register of attendance for deputy collectors was introduced in Mainpuri collectorate by a Collector and subsequently abolished by Khan Bahadur Syed Zain-ud-din Sahib ?

Kunwar Jagdish Prasad : The answer is in the negative.

DETENTION IN OFFICE OF CLERKS IN MAINPURI COLLECTORATE BEYOND OFFICE HOURS.

10. **Thakur Gulab Singh :** (a) Is Government aware that the clerks in collectorate, Mainpuri, are detained till 6 or 7 p.m. almost every day ? Is it a fact that under the Government orders the office should be closed at 4.30 p.m. ?

(b) If so, will the Government be pleased to call the attention of the district officer, Mainpuri, to remedy this evil ?

Mr. H. A. Lane : (a) No.

(b) Does not arise.

HONORARY MAGISTRATES IN THE MAINPURI DISTRICT.

11. **Thakur Gulab Singh :** Will the Government be pleased to lay on the table a list of the honorary magistrates in the Mainpuri district showing the land revenue and the amount of income-tax paid by each of them individually and also their educational qualifications ?

Mr. R. L. Yorke : A list is laid on the table.

(See Appendix O, page 488.)

12. **Raja Kushal Pal Singh :** [Postponed at the request of Government till the first day of the next meeting of the Council.]

TREATMENT TO INTRA-MUNICIPAL ROADS.

13. **Raja Kushal Pal Singh :** Will the Government be pleased to state the reason why they do not treat intra-municipal roads as vested in and belonging to municipalities as laid down in section 116(g), Municipalities Act ?

Sir Ivo Elliott : The intra-municipal roads which have been reserved are, like intra-municipal nazul, the property of the Government.

14. Raja Kushal Pal Singh : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

15. Raja Kushal Pal Singh : Has the attention of the Government been drawn to the following recommendation of the United Provinces District Boards Conference held at Jaunpur in February last?

“This conference is of opinion that Government should make substantial grants to the district boards for vocational schools, the grant in such cases may not be less than 50 per cent. of the total cost.”

Will the Government be pleased to state what action they propose to take in the matter?

Mr. Panna Lal : The Government have already given substantial grants to district boards for vocational schools.

ENGINEERS IN THE PROVINCIAL SERVICE.

16. Raja Kushal Pal Singh : Will the Government be pleased to state the number of engineers in the provincial service who have been promoted from the overseers' grade and also the number of those who have been appointed by direct recruitment?

Will the Government be pleased to state the scales of pay of these two classes of engineers?

Mr. H. A. Lane : Buildings and Roads branch—

(1) (a) 28.

(b) 2.

(2) Rupees 250—20—730 per mensem with an efficiency bar at Rs. 550.

Irrigation branch—

(1) (a) 26.

(b) 19.

(2) Rupees 250—20—750 per mensem with an efficiency bar at Rs. 550.

SUB-DEPUTY INSPECTORS OF SCHOOLS.

17. Khan Bahadur Hafiz Hidayat Husain : (1) Will the Government be pleased to mention the names, qualifications, and pay of the fourteen additional sub-deputy inspectors of schools, appointed after the passing of the supplementary estimates in June last?

(2) Have they been appointed by direct recruitment or by promotion from among subordinate officers?

(3) If the latter, what are the names and qualifications of the persons who have succeeded the persons so promoted?

Mr. Panna Lal : (1) A statement is laid on the table of the honourable member.

(2) By direct recruitment.

(3) Does not arise.

(See Appendix P, page 489.)

COMMISSIONS ISSUED BY THE SUBORDINATE JUDGE OF MAINPURI
TO VAKILS.

18. **Thakur Gulab Singh** : Will the Government be pleased to state the number of commissions given by the Subordinate Judge of Mainpuri to each of the vakils and the remuneration paid to each of them on each commission for the three years 1925, 1926 and up to September 15, 1927 ?

Mr. R. L. Yorke : A statement is laid on the table.

(See Appendix Q, page 490.)

CASES DISPOSED OF BY THE SUBORDINATE JUDGE OF MAINPURI.

19. **Thakur Gulab Singh** : Will the Government be pleased to state how many cases were disposed of by the subordinate judge of Mainpuri from January 1 to September 15, 1927 ?

Mr. R. L. Yorke : One thousand three hundred and seventy-two.

PROVINCIALIZATION OF THE ETMAIPUR RAILWAY STATION
FEEDER ROAD.

20. **Raja Kushal Pal Singh** : Has the attention of the Government been drawn to rule 491 of the Public Works Department Manual of Orders, volume I, 3rd edition ? Why has not Government treated the feeder road to the Etmadpur railway station as a part of the provincial road in accordance with this rule ?

Mr. H. A. Lane : Yes. A list of all local railway feeder roads in the province proposed to be provincialized, including the Etmadpur railway feeder road, was prepared in March, 1927, but the matter has been held in abeyance as it forms part of the Elliott scheme which is under the consideration of Government.

21. **Raja Kushal Pal Singh** : Will the Government be pleased to state what orders have been passed on the representation made by the Agra district board regarding the provincialization of the Etmadpur railway station feeder road ?

Mr. H. A. Lane : The position was explained to the Commissioner, Agra division, in April, 1927, for the information of the district board.

NOTICE OF MOTIONS FOR ADJOURNMENT.

The Hon'ble the President : As I was coming to take the Chair a paper was handed in to me on behalf of Pandit Nanak Chand, in which he asks for leave to move for the adjournment of the House to consider the urgent question of "the growing tendency of the Government to supply incorrect and misleading information to the Council in reply to questions put to them as illustrated by answers to starred question No. 72 on November 1, 1927, and their persistence in sticking to the wrong answers and their refusal even to inquire into the correctness of facts stated by the honourable members." Paragraph 68 of the Manual which incorporates rule 12 of the United Provinces Legislative Council Rules mentions the ingredients necessary for a motion of that character. Having given such consideration to the matter as I have been able to give it while dealing

with interpellations I have come to the conclusion that the motion in question is not in order. It lacks in the first place definiteness and it does not, in my opinion, refer to "a specific matter of recent occurrence." Therefore the motion is declared out of order.

Another paper has just been handed in to me by Thakur Manjit Singh Rathor in which he asks for leave to move for the adjournment of the Council to consider the question of "the treatment of the Kakori prisoners, a large number of whom in the opinion of the House deserves to be given special division treatment." Part of paragraph 98, to which I referred a short while ago, lays down the following restriction, among others, to such a motion, namely—"the motion must not deal with a matter on which a resolution could not be moved."

Non-official members are aware that a resolution was tabled and admitted by me for discussion on November 3, tomorrow, the terms of which were—

"That this Council recommends to the Government to commute the sentences of death passed against four of the convicts in the Kakori case to one of imprisonment, and to grant special division treatment to all the persons now in jail in connexion with the said case."

This resolution has been disallowed by His Excellency the Governor on the ground that it relates to a matter which is under a jurisdiction by a court of law. As his decision is final, the motion relates to a matter on which a resolution cannot be moved. Therefore the motion is out of order.

Thakur Manjit Singh Rathor: I would like to point out to the House that the resolution referred to had two parts: one part relating to the commutation of death sentences of the Kakori prisoners and the second part of the resolution related to the treatment of the Kakori prisoners. The resolution as I understand it and as everybody in the House understands it, was disallowed on the ground that appeals had been filed in the Privy Council and as such the matter was *sub judice*. Evidently the first part of the resolution regarding commutation of the death sentences was *sub judice*, but under no circumstances could the matter of the treatment of prisoners be *sub judice*. It is because of this reason that I gave notice of the motion for adjournment; the matter relates to their treatment and any resolution relating to the treatment of the Kakori prisoners cannot possibly be disallowed on the ground of its being *sub judice*, because treatment cannot be *sub judice*. That is my point, and for this reason I wanted to move the adjournment of the House to consider the question of the treatment of Kakori prisoners.

The Hon'ble the President: I am glad that the honourable member has mentioned that point because it enables me to draw the attention of the House to sub-paragraph (2) of paragraph 105. It says:—

"The decision of the Governor on the point whether any resolution is or is not within the restrictions imposed by sub-rule (1) shall be final."

As far as I am concerned and the House is concerned, I need not go into the legality or otherwise of the decision of the Governor. The decision of the Governor is there and under the rules we are bound to abide by it. It relates to a matter which, according to the decision of His Excellency, is under adjudication by a court of law and on which a resolution cannot be moved. Therefore it follows that this motion of adjournment cannot be moved.

SUPPLEMENTARY ESTIMATES.

Grant No. 17. Expenditure on Public Works charged to Revenue.

The Hon'ble Sir Sam O'Donnell : I beg to report to the Council the recommendation of His Excellency the Governor that under the head "Expenditure on Public Works charged to Revenue" a sum of Rs 2,00,000 be provided and move that this sum be voted.

Pandit Badri Dutt Pande : I beg to move a token reduction of Rs. 10 under grant No. 17, expenditure on public works charged to revenue (Rs. 2,00,000).

In moving this token reduction I want to get some information about repairs to roads. My first point is that lately there was a strong rumour at Naini Tal that some engineers were sitting in a Committee and have decided that Naini Tal is unfit to live in, as it has been so very much damaged by the rains. If the rumour is correct—I think it is not—then the road should not be repaired. What is the use of repairing the roads of a city which may be deserted later on? If the rumour is incorrect, I want to have some information about Am Parao, mile No. 9 I believe, which is the worst portion of the road. I asked a question as to what was the amount of money spent on that road during the last five years on special and other repairs, but the information has not been forthcoming. My private information is—I am speaking subject to correction—that seven lakhs of rupees have been spent on this portion of the road. I do not know the exact figures, but that is what I am told. If that sum has been spent on it, could not a diversion be made on the other side of the hill. I think it will cost less and a better road could be made on the other side of the hill. Then, further on, there is the Brewery portion of the road which is costing a lot of money and if the village Charta in its close vicinity comes down—Heaven forbid that it may be so—then another diversion will be required on that road. If Naini Tal is to be abandoned, which I hope not, then my suggestion is that a road *via* Bhim Tal be made and not much money be spent on this road which would be unnecessary. I do not know the recommendation of the Slopes Committee, as it was called, on which four engineers were sitting recently. Whether they were confidential or of a public nature, I cannot say. We would all be interested to know more about this committee. I also want to know what devastation has been done to the district board roads, whether any money is available for these district board roads because they have also been washed away and require a lot of repairs, and what amount Government is going to contribute towards their repairs. If the capital is to be shifted to Ghorakhal, Bhim Tal or Almora, as the bazar rumour goes, then I submit that the Khairna-Almora road ought to be repaired. That road requires constant attention. These are the points on which I require information and that is why I have put in this motion.

Mr. H. A. Lane : I think I can allay the fears of the honourable member about Naini Tal. The fact about this committee is that it has been the custom at periodical intervals to examine the question of the hillsides in Naini Tal with special relation to the surface drainage. There are regular statistics kept showing the amount of discharge of rain-water into the lake and the amount of discharge out of the lake and in recent

years these figures have shown some peculiar features. The department find that they are unable to account now for the same amount of water going out of the lake as they were able to five years ago. The percentage of discharge has decreased considerably and it is necessary at this stage to hold a regular inquiry by a committee consisting partly of engineers and also of a geologist to see if they can discover the reason for this. It may simply be that the figures are not accurate or there may be some other reason which it is hoped that this committee may discover. The report of the committee has not been received, but from conversation with the members of the committee I understand that there is no real cause for serious alarm and that Naini Tal is not likely to disappear suddenly into the lake.

As regards the expenditure on Am Parao, it certainly has been heavy in recent years. The department have been trying various expedients to keep the hill up on that mile. The formation of the hill is peculiar there. The surface soil is very shallow, and below there is a slab of rock which is more or less smooth. What happens there is that, when the soil gets saturated, it slips along the surface of the rock. The expedient which the engineers tried to keep the hill up two years ago was to build a retaining wall at the bottom. This retaining wall is about fifty feet high. The engineers hoped that thereby they would reduce the slope and that the earth would hold. Unfortunately that has not been successful yet, though it is perhaps premature to say whether, once the conditions have settled down, it may not eventually prove successful. But in case it does not prove successful, the engineers this year have been examining the question of a diversion on the other side of the river across the bottom of the valley. The difficulty there is that you cannot take a diversion straight across. The span of the valley is too big and a suspension bridge is impossible from the engineering point of view and it will therefore be necessary, if you make a diversion, to go back, probably about three miles down the hill and take the road down to the valley and up the other side and bring it back again to the motor road about four miles further up. There are two disadvantages in this. The first is that it will increase the mileage up to Naini Tal by, I think, two to three miles. The second is that if you are going to take a diversion all that way, then you have got to go down instead of climbing steadily up: you have got to dip down in the valley, and the result will be that your gradient on the other side will be steeper. If it is eventually discovered that it is impossible to solve the problem in Am Parao, then there will be no alternative to making this diversion. But until the engineers are satisfied that the Am Parao problem is insoluble, it will be a mistake to make this diversion with its attendant disadvantages.

As regards the Brewery, I do not think it is possible to make a diversion there. I do not think the hill side opposite is suitable. In any case to make a diversion there you will have to go above the Brewery and then come down the hill again in order to get on the Brewery-Naini Tal road.

As regards the district board roads, I am afraid I cannot give the honourable member any information, as they are not included in this particular grant.

Pandit Govind Ballabh Pant: I only want to put a question to the Hon'ble Minister or to the Hon'ble the Finance Member whoever is concerned

with it as to whether the amount which is included in this demand is to be diverted to the repairs of metalled roads only or whether any part of it will be available for unmetalled roads also and in this connexion I would like to know whether this sum will be spent through the Public Works Department or whether any part of it will be given to the district board. The necessity for this question has arisen out of my recent experience in the interior of the district, where I have seen that in consequence of the recent rains considerable damage has been caused to local roads, so much so that in certain places no trace of roads could be found and we had considerable difficulty in certain places just to find way to proceed further and we were at certain places compelled to wait for some time in order to trace paths to proceed. In these circumstances I hope the Government will be pleased to give a part of the money for the repairs of local roads also.

Lala Nemi Saran : I would have very much liked to oppose this demand as a protest against the action of the Government in ignoring the Legislature before they approached the Governor to get this money certified for the repair of these roads. I should have thought that the Hon'ble Minister might be well advised not to include this amount in the supplementary estimates and he could have easily got, instead of Rs. 1,80,000, Rs. 3,80,000 from the Governor by the special powers conferred on him under section 72D, but for reasons best known to the Hon'ble Minister he has tried to place a part of the grant before this Legislature when he has failed to get another part from the Governor. Sir, it may be argued that the Hon'ble Minister had no time, that the money was needed urgently, and he had no time to summon the Council and get a vote. I believe, Sir, that there was sufficient time when this could have been brought before the Council. It would only have required that the Council should be summoned a month earlier. But as my friend to the left says that the Hon'ble Minister has thrown off all responsibility for any advice he may have given, I need not put the blame on him. But any way my protest is there against the way in which this Council has been treated especially in connexion with the vote of a transferred department.

Sir, while going into the explanatory memo. attached to this supplementary budget I find that we are asked here not only to vote two lakhs but we are asked to vote six lakhs. By our vote now we would be committing ourselves to vote another four lakhs more at the time of the budget. I know what the condition of the provincial roads is—I do not know how they are being managed. We know, Sir, that in 1924, in the floods there were many breaches and large amounts were spent by Government for repairing them. Again, we have in normal budgets sufficient amounts for annual repairs of local roads. But you will find that in spite of the fact that there were no unusual rains this year Government want six lakhs more to get these roads repaired. The district boards have been *bad-named* very much for the maladministration of the department of roads. I do not know what we can say about the huge sums which are being asked for by Government for repairs only—not for any new schemes but for only repairs. I want that the Hon'ble Minister should tell us once for all how much money he would require only for repairs annually of roads, in normal years, and how much he should have in reserve for special repairs. From the budget as it now is

I understand we will next year have to vote eight lakhs or so for repairs of roads and, standing in financial difficulties as we are, I think we shall not be able to give any money to new schemes which may be under the Government's consideration about roads. One thing I want to know is: at the time the breaches occurred how much money was in the hands of Government which could be used for the repairs from the budget, and the other thing I want to know is since then how much money has been spent by the department in doing these repairs, up to this time? The memo. shows Rs. 32,301 in the hands of the Government at the time and that could be used by Government for this purpose. Now, Sir, how much progress has been made in the repairs of these roads we do not know. Whether the Rs. 1,50,000 which was given has already been absorbed in these repairs, or there is still money in the hands of the Government. Thirdly, I want to know whether these two lakhs which are asked for now will be spent by the end of the year or the Government think they will require some more supplementary estimates for this purpose before the end of the year, so that we may be in a position to know how much money we will have to vote. The fourth thing I want to know is what arrangement has Government made about the repairs of these breaches, which, I understand, have yet not been permanently repaired? Has Government made some temporary arrangements for the time or what? For instance, it is said that there was a breach on the Grand Trunk road in the Cawnpore Division. I want to know what arrangements have been made about this. Travellers experience great difficulty while crossing this portion of the road and I want to know from the Hon'ble Minister what arrangements have been made for the convenience of traffic pending the final repairs. That is all I have to say.

Mr. Mukandi Lal : I want to say something about the bad condition of the Lansdowne road. The Lansdowne road is in an absolutely bad condition. Unfortunately that road happens to pass through a part of the country which is not frequented by the higher officers, and therefore it is sadly neglected. If you look at the road you will find that it is very narrow; the level is very abominable; and if you look to the dangers you would find that the slightest jerk or carelessness on the part of a driver of a car or lorry, would send him down the khud down into the river which is passing below. Therefore I would like to draw the attention of the Hon'ble the Minister of Local Self-Government to the fact that not only does that road require special repairs at the present moment due to the last August floods, but it requires general improvement. They have started widening the road at certain miles, but the chief thing to do was to broaden and strengthen the bridges, because on account of insecurity of these bridges you cannot have a steam-roller there and that is the reason why the surface of the road is very bad. True, the road requires broadening very much, but the first necessity is to make the present bridges stronger; that would not cost much, as the bridges are not large; they are small ones, over culverts and small streams.

The other point I would like to bring to the notice of Government is that at the eighth mile, which has been mentioned in this note of the supplementary demand the road is so very bad that in spite of the present temporary arrangements it is possible that at any moment any number of lives may be lost there, because the temporary arrangements are very insecure and shaky. Therefore I would like to draw

[Mr. Mukandi Lal.]

the attention of the department concerned that they should specially direct the engineers concerned that the first call on their attention should be that the breach should be repaired at once where the road was so completely washed away. There is a perpendicular rock over 600 feet long over which there is no trace of the road at all.

The other point which I wanted to suggest is that I hope in future this road will not be neglected as it has been done in the past. Unfortunately Garhwal district happens to have only 26 miles of cart-road. Some sort of survey was made two or three times, but nothing has been done regarding the extension of cart-road to Pauri. The district authorities have again recommended the extension of the road to Pauri so that the people may be relieved of the famine which recurs in the district so frequently, for want of proper communications.

Lansdowne happens to be the headquarters of a very important and well-known regiment—the Royal Garhwal Regiment. There are about 4,000 soldiers there. During the last August flood what happened was this, that for one month regular communication was interrupted from the rail-head. The people there, including the military, were actually in fear of starvation because only mules could go to Lansdowne. Carts could not pass: motor cars did not run owing to the breach and slip at the eighth mile. Further, the question has to be considered from the military point of view also. If the Local Government find that they cannot maintain this road which is mostly used by the military after Dugadda (10th mile), then it is up to them to ask the military authorities to take over the management and maintain the road. But so long as the place is under the control of the Local Government it is up to them to keep it in proper repair because of its importance.

Just one word about Am Parao on the Naini Tal road. For the last four or five years Government have been making experiments in sinking their money at that place where the road has been sinking and sinking. All that money has been practically wasted up to this time. The new experiment suggested by Mr. Lane ought to have been made long ago. It has now become absolutely necessary for the Government at one time or other to divert the road at that particular place. Unless they take the road on the other side of the stream it is impossible for them to keep the road in fit condition. I am sure that up to this time about Rs. 3,00,000 have been sunk in the 9th mile and Government may come forward and ask for another three lakhs of rupees to prevent the further subsidence of the road. Experiments like this at the cost of the tax-payer ought to be avoided by the Government. I hope I will be able to get a satisfactory answer from other side. I support the motion that has been moved.

Thakur Sadho Singh: I do not want to draw the attention of the Hon'ble Minister to the condition of the hill roads. But I want to draw his attention particularly to the *kachha* roads in my own district. There are very few bridges to the small rivulets. Several drowning fatalities occur there every year in the rainy season. That is all I wanted to say in support of my motion. He should look to this urgent necessity for the safety and convenience of poor villagers, and facilities of administration.

Chaudhri Dharamvir Singh: I most emphatically protest against the manner in which this large amount of money has been included in the supplementary estimates. If we grant it now, we shall, in future, be committed to granting still larger sums of money. It is stated in the explanatory memo. that "in the budget the usual sum of Rs. 4,52,000 was provided for special repairs due to the monsoon. This amount, with the exception of Rs. 32,301, however, was absorbed in the early months of the year in completing repairs due to the monsoon of 1926, so that when the recent monsoon began funds were required to meet immediate necessities. His Excellency the Governor accordingly certified a sum of Rs. 1,80,000 under section 72-D(2) (b) of the Government of India Act." I submit that it was the duty of the Government to guess beforehand what amount of money would be required to carry out the repairs due to the monsoon of 1927, and, again, when the last budget was presented to the Council, they could easily have discovered the amount that would be necessary to complete the repairs due to the 1926 monsoon. It appears to me that the Government have not succeeded in making a correct guess, or if they have, then the amount has been spent in an extravagant manner, so that if they have not erred on one side, they have erred on the other. At the same time, I wish to sound a note of caution to the Government. In the matter of repairs to roads in the Public Works department they have been accustomed to spending large sums of money. "and the proof of that is that so great has been the amount of money spent in repairing damages done by the monsoon of 1926, that out of a total of Rs. 4,52,000 only an insignificant amount of Rs. 32,301 was left for the repairs of 1927." The Government does not see that almost worthless material is used in repairing roads and in the Public Works department large sums of public money go into the pockets of engineers and other officers of that department, and year after year the Council is asked to grant these huge sums of money. The Public Works department of this Government is a department which has got a very hungry stomach. It absorbs the whole revenue of the province and no money is thereafter left for other nation-building departments. The Government does not take sufficient caution in the matter and does not see that good materials are used and that no bribery is practised.

The Hon'ble the President: The honourable member is now crossing the border line.

Chaudhri Dharamvir Singh: This is because the Government makes the capital mistake of bringing forward demands for huge sums of money in a supplementary estimate. One cannot be a party to granting these sums unless one discusses the general manner in which these sums are spent. However, since it is your order, I shall not refer to it. I may also point out in this connexion the very deplorable condition of the road that leads from Kathgodam to Almora. I was one day travelling in a lorry which had started from Almora to Kathgodam. The other gentlemen sitting in the lorry were terrified. They told me that at a certain place between Almora and Ranikhet it was simply by an inch or perhaps half an inch that the forewheel of the lorry was saved from falling down in the khud below. It was only by a chance that they were saved otherwise they would have fallen down and met their deaths.

(**Thakur Manjit Singh** : Are you insured ?)

I am perfectly sure of the narrow escape of those travellers. I myself have seen the condition of the road. It is very dangerous. There should be some sort of fencing alongside the whole road. In the hills it is very dangerous for people to go in motor cars and lorries and unless sufficiently elevated fencing is made alongside the deep khud from Kathgodam to Almora, lorries may fall down. I support the motion.

The Hon'ble Nawab Muhammad Yusuf : I should like to put before the House very briefly the facts and reasons for which this amount has been demanded. It is really with a view to meet largely the wishes of this House in the direction of maintaining the road in a proper condition that I have made this demand. Now I shall proceed to explain the position to the House. In 1924 floods played havoc with the roads. Damages to the extent of 18 lakhs were done due to the heavy rainfall. It was to the extent of 132½ inches. That was a very abnormal rainfall indeed and it was entirely due to the torrential rain that so much damage was done. While we had not recovered from these damages, again in 1925 damage to the extent of 6 lakhs was done by the rains.

Although we spent about 6 lakhs to repair the roads, we could not get sufficient money to repair the damages to the extent required. Then, again, in 1926, further damage was done to the extent of 9 lakhs 50 thousand. We spent about 13 lakhs and still a large balance was required to be spent with a view to repair the damages to the roads due to floods in former years. So, honourable members will see that really we have never recovered from the damages of previous years. We never had enough money to do the repairs to the special monsoon damages.

Then, again in 1927, we are faced with the unfortunate position that now there is damage to the extent of Rs. 11,75,329. This year we may point out to the honourable members we have had very heavy rains in August and September—the rainfall was about 133 inches. So the honourable members would see that the reasons why I have had to come forward with this demand of 2 lakhs is the excessive damage which is due to the heavy downpour. One honourable member asked why did the Government not foresee all this? The honourable member is aware that every year as a normal expenditure we allot about 5 lakhs. It must be clear to the honourable member that all this amount has been swallowed up and in fact more will be required to repair damages of preceding years. So, the position is this that we really have never recovered from the ravages of floods in 1924. We could not possibly foresee that damages in the year 1927 would come up to the extent of 12 lakhs, and that was the reason why it will be obvious to honourable members that we could not possibly provide on the strength of imagination for future contingencies which had not arisen and which could not possibly be foreseen by any means. Therefore the honourable members will admit that we have asked for this two lakhs with a view to do the repairs to damages caused by the monsoon as also to repair those roads which require repairs in the interest of the public, because if we do not do the necessary repairs to these roads we cannot restore communication. The demand is made primarily with the object of restoring communication and secondly, the object of urgent repair work. If we do not do urgent repair work now, the chances are that further damages will

happen next rainy season and we will be put to a tremendous loss ; a policy which can hardly be regarded sound from an economic point of view.

One honourable member has asked whether this amount was going to be spent for repairs of the metalled roads or *kachha* roads. I may inform him that it is only for the repairs of the metalled roads, the provincial metalled roads. It is a Public Works department matter and has nothing to do with the district board. This amount is required in view of the ravages and the havoc played by the recent floods in 1927 and its necessity cannot not be sufficiently emphasiz-d. If honourable members want that all these roads should be maintained in proper condition and up to the standard they require, then the importance of the demand cannot be exaggerated. The honourable member for Garhwal has already brought to the notice of this House the condition of the Garhwal roads. Other honourable members have referred also to the sad condition of other roads, but what I want to ask you is, how can we possibly maintain these roads in proper condition unless we have enough money at our disposal to do the monsoon and special repairs ? Therefore it is of vital importance that the department should get this money, so that absolutely necessary work may be taken in hand.

Pandit Badri Dutt Pande : I think this is a legitimate charge and should not be grudged. Of course one cannot see how far the Public Works department is a public waste department or a public utility department ; that is a matter of contention, into the merits of which I will not go. But in the hills the roads do require a certain amount of special attention. You cannot guess in the hills what repairs will be required ; it is only God Indra who can guess this work, because I was in Naini Tal on August 23, when there was a heavy downpour and there were 16 inches of rain in four hours and the lake was flooded. So you cannot guess ; sometimes a big slip may come and wash off a whole piece of the road. The Hon'ble Minister has not given a reply as to whether any portion of this money will be given to the district board roads or whether, if the proposals for district board road repairs have been received, they will receive special consideration. That is the information that I want. Of course we know that provincial roads will get any amount of money, but there are a lot of district board roads which have suffered very heavily from the recent floods. I know the road leading from Rati Ghat to Ramnagar is in a very dilapidated condition and the villagers are put to a great deal of trouble, and I know in Naini Tal, Almora, and Garhwal the roads have suffered very badly and they require a lot of money and I think some money must be given for urgent repairs to these roads. He has not touched on this point. So if he gives an assurance on this point, I will not press the motion to a division.

The Hon'ble Nawab Muhammad Yusuf : I have already pointed out that this is a demand on behalf of the Public Works department for the provincial roads and metalled roads and it has nothing whatsoever to do with the district board roads. That question hardly arises.

Pandit Badri Dutt Pande : I beg to withdraw my motion.

The motion was, by leave of the Council, withdrawn.

The demand, as framed, was then put and voted.

RESOLUTION *re* GRANTS TO DISTRICT BOARDS FOR MEDICAL PURPOSES.

The debate on Babu Shyam Lal's resolution moved on the preceding day was resumed.

Raja Kushal Pal Singh : I rise to give my whole-hearted support to the resolution moved by Babu Shyam Lal. The need for medical relief is very pressing in rural areas. Mortality from preventible diseases is terribly great. Villagers are swept off by epidemic diseases in enormously large numbers. Remittent and intermittent fevers are endemic in many places in the district of Agra and are most in evidence after the close of the rains. Owing to fever, cultivators cannot properly prepare their fields for rabi and suffer great loss in consequence. As a rule mufassil dispensaries are for the reception of out-door patients only. The upkeep of dispensaries in municipal areas has taxed the slender resources of district boards very heavily. Municipal boards do not contribute a fair share of the cost of their upkeep on the plea of alleged poverty. I should like to invite the attention of the honourable Council to the extraordinary delay which takes place in the disposal of cases between district boards and municipal boards about contribution. I have known of cases which have been awaiting decision for four years.

Khan Bahadur Hafiz Hidayat Husain : In the last session of the Council my honourable friend the leader of the Swaraj party moved a resolution to the effect that the district and municipal boards be relieved of the cost of maintenance of hospitals, which should be met out of provincial funds. There were two amendments to that motion, and those amendments also were carried. Now this resolution of my friend the member for Cawnpore (rural) provides that the grant to district boards for medical purposes should be enhanced. Practically the amended resolution, as passed in June last, is identical with the one before us. Now we all know that the resources of the district boards are very limited, and I do not know what has become of the idea of appointing the committee that was proposed to be constituted last July in order to inquire into the resources and the revenues of the district boards. The total expenditure of these boards over hospitals is Rs. 5,99,000, and the contribution by the Government is only Rs. 25,000, and therefore the strain on the district boards for the maintenance of these hospitals is great and undoubtedly needs relief. But even after that there is a point beyond which the funds cannot go and the demand for medical relief is not wholly satisfied. We have now got here—thanks to the consideration of the Government—a Board of Indian Medicine. Some money is paid to that board every year for the purpose of distributing to the indigenous dispensaries the Ayurvedic and Unani, and also for payment to the vaidas and hakims. My humble opinion is this that you may have as many allopathic dispensaries as your funds allow, but their number must always remain limited, for allopathic dispensaries are not cheap and consequently cannot reach men living in remote villages. I do not think that our district boards, or even for the matter of that provincial revenues can command so much money as to start allopathic dispensaries with modern appliances for the poor living in remote corners. Therefore, I think that as we have got a Board of Indian Medicine established here for the advancement of indigenous medicines which

are cheap and command the confidence of the public, the Government ought to be a little more charitable to that board and advance it more money so that the vaides and hakims can reach the people living in distant rural areas. As it is, the money spent by the provincial revenues for the public health is very much less than the importance of the matter demands. The district boards spend Rs. 1,01,00,000 over education, and out of this Rs. 69 lakhs are contributed by the Government, i.e., about 70 per cent. is the contribution made by the Government towards education alone. Now this Rs. 1,01,00,000 is 51.14 per cent. of the total income of the boards. If the district boards can spend this amount of their income towards only one item, very little is left for expenditure over the remaining items, including medical. Well, I am not quite sure if the Government can lay down the percentage which ought to be spent on different items comprised in the budget of the district boards, but I do think that it is due to the Government to see that the health of the people, particularly in the rural areas, does not suffer for want of adequate medical relief. There are villages widely scattered and far away from places where there are dispensaries. The amount of suffering of the people living in these is great for want of adequate medical relief, and it is due to them that they should not be denied that relief. Now, as I have just said, it is impossible for medical aid to reach these people unless we finance the Board of Indian Medicine for payment to a larger number of vaides and hakims than we have so far done. If you pay this Board of Indian Medicine sufficient money, and make it a rule that no dispensary will be opened in rural areas unless it is on the Indian system of medicine, whether Unani or Ayurvedic, then I think that a larger number of persons will be helped medically than it is possible to do under the present conditions.

Hafiz Muhammad Ibrahim: There is much complaint against the local boards about their failing in their duties. Perhaps the Government also has a complaint against them that they often fail to perform their duty. The fact is that the Government have all along been failing in giving them the aid of which they are very much in need. The statistics just referred to by Khan Bahadur Hafiz Hidayat Husain and many times mentioned by other honourable members in this House clearly show that the Government have not been giving the local boards as much money and as much aid as they ought to have given them. This is the real cause of their failure which is so much talked about by the world outside the Councils. The upkeep of dispensaries is one of the necessary functions of the local bodies, and they are required to maintain them in good condition. In spite of the fact that our villages are much in need of medical help, we have not been able to do as much as we ought to have done for the dispensaries. The dispensaries which are at present kept and maintained by the local boards are very improperly and badly run. This is simply because they have not got sufficient funds at their disposal, and the scanty funds which are at present at their disposal do not suffice for the discharge of their duties. It is highly necessary that they should have some more money from the Government. Unless the Government help them in every line with money they would not be able to satisfy us and to do their duty. For these reasons I think the resolution which has just been put before the House is highly essential in the best interests of this province and I give my whole-hearted support to it.

Pandit Devata Prasad :—

प्रेसीडेन्ट महोदय,

इस प्रस्ताव का अनुमोदन करने में कई एक प्रार्थनाएं हैं जिन पर विचार करना आवश्यक है। पहले हम यह देखें कि हमारी दशा बोर्ड में फण्ड के लिहाज से कैसी है। वास्तव में, बोर्ड-फण्ड एक तरह का स्थिर तालाब है; और उस तालाब में बरसात में जितना पानी भर जाता है ठीक उतने ही से हमें साल भर तक गुजर करनी पड़ती है। “बोर्ड कोष” में मुख्य ‘लोकल रेंट’ (अबबाव) और कुछ छोटे शीर्षकों (Heads) की ही आमदनी है, उसी से जैसे तैसे साल काटना पड़ता है। हमारे पास कोई नई आमदनी ढूंढ निकालने का जरिया ही नहीं। अब जो गवर्नमेन्ट से ‘ग्रान्ट’ (इमदाद) मिलती है वह एक तरह से ‘प्रसाद’ के रूप में है। हम देखते हैं कि कोष पर खर्च का पूरा दबाव दिनों दिन पड़ता जाता है। राज तनखाह के इजाफा (वेतन वृद्धि) की शिकायतें हैं; दूसरे समृद्धशील देशों का अनुकरण करते हुए, नए ख्याल के मेम्बर नई रस्कों में पेश करते हैं और कुछ शिक्षाप्रेमी शिक्षा में ही सब खर्च कर देना चाहते हैं। यह जानते हुए कि आमदनी में बहुत कुछ रकम खर्च के लिए सरकार से निश्चित (earmarks) है जिनमें खर्च होना लाजमी है, उससे बचे हुए रकम की खोजातानों के मालिक हम हैं। ऐसी हालत में जबकि एक ओर बोर्ड के फण्ड पर इतना आर्थिक सङ्कट हो और दूसरी ओर ‘बोर्ड मेडीकल विभाग’ की दरिद्रता और उससे संबंधित देहात-जनता पर भयंकर रोगों का इतना भारी आक्रमण होता सिवा परेशानी के और क्या? ‘ब्रिटिश राज’ में मनुष्य की सम्पत्ति की रक्षा के लिए तो इतना इन्तजाम जाहिर किया जाता है कि पुलिस तथा ऐसे ही अन्य विभागों के लिए ‘बजट’ में लाखों करोड़ों रुपये जुटाए जाते हैं; परन्तु मनुष्य के जीवन के लिए इतना कम खर्चा। यदि हम किसी भी ज़िले का हिसाब लगाएं जिसमें आठ लाख की जन-संख्या है तो प्रति आदमी एक आना वार्षिक के हिसाब से सालाना खर्च पचास हजार रुपये हो जाते हैं; लेकिन इस पचास हजार के बजाय तेरह चौदह और कहीं बीस हजार रुपये से ज़ियादह किसी बोर्ड में, उपरोक्त अनुपात के हिसाब से, खर्च नहीं होने। देश में बीमारी की यह हालत है कि एक तो अकाल मृत्यु इस कारण से हो रही है कि इलाज ही नहीं हो पाता, और बहुतों का ऐसे मूर्ख वैद्यों द्वारा इलाज होता है कि जो बेचारे सामान्य रोग भी नहीं पहचान पाते; और कुछ सयानों, भूत प्रेतादि और मंत्र पूजादि की मदद लेते हैं; ऐसी मौतें ठीक आधा बटान कर लेती हैं। पर इस विपत्तावस्था में गवर्नमेन्ट ने जो ढंग (attitude) इस्त्रियार किया है यह ठीक नहीं है। गवर्नमेन्ट ‘ग्रान्ट’ का जो तरीका प्रचलित है वह ज़रूरत के लिहाज से नहीं बरन बटाई के ख्याल से है, मेरी राय में हमेशा ज़रूरत के ख्याल से ‘ग्रान्ट’ देना चाहिये; परन्तु ज़रूरतों की ओर कम ध्यान दिया जाता है। जब किसी काम को असफल बनाना है या किसी काम को ठीक कार्य रूप में परिणत नहीं करना है तब तो सीधा मार्ग यह है कि हम

उसको तरफ लापरवाही इज्जियार करें। जिस संस्कृत या सभ्यता में हमारा जीवन हुआ है या पले हैं उसकी शिक्षा तो यह है :—

न त्वज्जं कामये राज्यं नास्वर्गं नापुनर्भवम् ।

कामये दुःख तप्तानां प्रार्तिनामा तैनाशनम् ॥

हमें राज्य, स्वर्ग और सुख की इतनी भूख नहीं जितनी देहान के असहाय गरीब मरोज़ों की है जो देहान के कोनों में कराह रहे हैं और जहाँ कोई आयु-वैदिक या अंगरेज़ी इलाज नहीं पहुंचाया जा रहा; और सान में हज़ारों लाखों यादमो समय से पहले चल देते हैं ऐसी मृत्यु-संख्या करोड़ उस आघे के बराबर हो जाती है जो अपने समय पर मरते हैं। ऐसी अवस्था में हम जिसे संस्कृत या सभ्यता में हैं उसको मांग के ख्याल से हमारा कर्तव्य है कि उन देहातो भाइयों के पास जिनके पास किसी तरह का इलाज नहीं पहुंचता उनके पास पहुंचाने का कोशिश करें। शहर और कस्बों में तो प्रबंध है लेकिन देहात में एक तरह से बिल्कुल नहीं; इस देश की आवाज़ें ज़्यादातर देहात हैं। कांग्रेस का जितना प्रचार हुआ है और उससे जनता को जितनी जानकारी अब तक हुई है उससे कहीं अधिक सफलता मिलती, यदि हमारे साथ में एक प्रचार और होता वह यह कि हम जनता (public) का वता देने कि आप करोड़ों रुपये जान रक्षा के लिए सरकार को देते हों लेकिन उसका सहयोग आप को जान रक्षा के लिए साल में एक आने के बराबर भी नहीं होता है तो अब तक जितनी क्रांति हुई है उससे दस या बारह गुनी ज़्यादा हुई होती। सरकार को वैदिक काल से इस संबंध में सबक लेना चाहिए। उस ज़माने में देहात के गरीबों के लिए रास्ती, सड़कों, धर्मशालाओं और मुल्क के दूर २ कोनों में इलाज का इन्तज़ाम था।

अब रही इलाज के तरीक़ों के संबंध में वह यह कि बोर्ड में तत्संबंधी द्वैध-शासन चल रहा है; एक आयुर्वेदिक और दूसरा अंगरेज़ी इलाज। इनको वजह से कई एक दिक्कतें पेश आ रही हैं। कुछ कहते हैं कि 'मेडिकल' में बढ़ाया जाय और कुछ को राय है कि देशी औषधालयों में हो सब रख दिया जाय। इस द्वैधशासन में गवर्नमेन्ट की नीति अब तक स्पष्ट नहीं हुई कि किसका विशेष रूप इस देश में दिया जाय, और उसके प्रोत्साहन के लिए किसमें ज़्यादा खर्च किया जाय? दोनों के तो बढ़ाने में बजट पर बड़ा असर पड़ रहा है। एक बात और कहना है वह यह कि जिसके लिए इन्तज़ाम होता है कि उसके establishment में रक़म का ख़ासा हिस्सा जुटा या उड़ा दिया जाता है और असली बात के लिए बहुत कम रह जाता है। शायद सरकार में इसी का नाम efficiency हैं। इन सब बातों से तो यह मालूम होता है कि बेकारी (unemployment) जो फैल रही है उसके लिए और तदा शङ्कित अपनी रक्षा के लिये ये सब काम हो रहे हैं। किसी काम को सफल बनाने के लिए यह तरीक़ा नहीं फ़र्ज़ कोजिए किसी जगह के लिए चालीस रुपये मासिक टकाइयों की ज़रूरत है लेकिन होता क्या है कि वहां चालीस या पचास रुपये मासिक का वैध रख कर बोर्ड

[Pandit Devata Prasad.]

या गवर्नमेन्ट की ओर से चालीस रुपए की दवाइयां चार या पांच महीने में भी नहीं दी जातीं। इन तमाम बातों पर दृष्टि डालते हुए हमारा कर्तव्य है कि कप से कम और बातों की तरफ जो हम से दूर हैं न जाकर हम सामान्य बातों को जो हमें दिन रात घेरे हैं दूर करने का उपाय करें क्योंकि देहात में हजारों लोग बीमारी की मुसीबत में रोज फंसते हैं और अकाल काल-कलेवर होते हैं। सरकार का धर्म है कि उनकी जान की रक्षा के लिए कोशिश करें। और यह शिकायत दूर की जाय कि जहाँ पर बड़े २ सरकारी अफसर, 'मिनिस्टर' और मेम्बर साहबान रहते हैं यहाँ पर ही अस्पताल और औषधालय खोले जाते हैं लेकिन देहात के भोपड़ों की ओर ध्यान नहीं किया जाता। उदाहरण स्वरूप, कल लखनऊ के लिए कहा गया था 'कि अवध के ताल्लुकदार सब से ज़ियादत रुपया चन्दा में देते हैं इस 'लिए यह बात है'। श्रीमान्, रुपए देने का सवाल नहीं। किसी के पास हजारों लाखों रुपए हैं और किसी के पास टका भी नहीं है। पर इससे इन्साफ़ पर असर नहीं पड़ना चाहिए। गवर्नमेन्ट की नीति तो ऐसी होनी चाहिए कि सब के साथ समान व्यवहार (equal treatment) हो। अगर यह बात नहीं तो मेरा ही नहीं वरन् आम ध्यान यह बनता जा रहा है कि सरकार हमारी जानमाल की रक्षा के लिए कुछ नहीं करती बल्कि असल में अपने आधिपत्य (Prestige) और अपनी हकूमत को कायम रखने के लिए ही यह सब स्वांग रच रही है। और जो हम 'कर' स्वरूप में दे रहे हैं उसका ठीक वितरण डिस्ट्रिक्ट बोर्डों में न हो कर हमें दूसरे रूप में कुछ भी वापिस नहीं मिल रहा है ॥

The Hon'ble Rai Rajeshwar Bali: I welcome the signs of growing interest in this House in the cause of medical relief in rural areas. I quite agree that there is great scope, not only scope but urgent need of the expansion of medical relief in those areas, and that the facilities that exist there at present provide for only a small fraction of the population. At the same time I do not think that it is quite fair to suggest that we have been unmindful of these circumstances. I will not detain the House by describing in detail what we have been trying to do during the last few years, but I may briefly mention some schemes which we have lately promulgated with this object. There is one by which we give subsidies to the doctors who agree to settle in rural areas and for whom the district boards are required to supply medicines for free distribution. The other is for giving grant-in-aid up to the extent of half recurring and half non-recurring cost for any new dispensary which a district board or the people of the locality or the two combined are ready to open in any part of the rural areas. I think the latter particularly is a very generous offer. We promise not only to give half the cost of building and equipment but also half the recurring cost for any dispensary that may be established. Again, one of the reasons why we established the Board of India Medicine and are aiding a Unani and an Ayurvedic college and a Unani and an Ayurvedic school is that the hakims and vaidas who would be turned out of these institutions could settle down more easily and perhaps at a cheaper cost in rural areas. We have also provided Rs. 50,000 for the Board of

Indian Medicine for the last two years for distribution among indigenous institutions and dispensaries. I very much regret to say that the grant-in-aid and subsidy schemes have not met with as generous a response as we expected them to get. Therefore we have lately been inclined to the view that these alone will not do. After collecting a good amount of material, we have now prepared three other schemes by which medical relief could be extended in the rural areas.

The main question at the present moment is where we are to find the money from to give effect to these schemes. We propose to examine shortly, with the aid of a committee, the financial position of the district boards, the system of our grants in aid to them for their various benevolent activities, and the methods of providing more funds for new schemes.

My friend Khan Bahadur Hafiz Hidayat Husain has suggested that no allopathic dispensaries should be opened till a hakim or vaid has been provided in every part of the province. I may be pardoned if I say that I am equally enthusiastic to advance the indigenous systems of medicine but I do not think we can press it too far. A hakim or a vaid has his value, but at the same time I do not think it would be fair to underrate the value of allopathic dispensaries for rural areas.

Khan Bahadur Hafiz Hidayat Husain: I just rise on a point of personal explanation. I only referred to new dispensaries in rural areas.

The Hon'ble Rai Rajeshwar Bali : My point is that even in rural areas these allopathic dispensaries are needed to a considerable extent. However, there is no quarrel between the honourable member and myself about the need of more medical relief in rural areas, so I need not labour this point any further.

My friend, the member for Agra district, referred to certain schemes which, he said, had been sent to the Government about three or four years ago. I am not aware of these schemes, but if the honourable member will mention them to me I shall certainly look into them and find out why there has been delay in dealing with them.

It has also been suggested that these new dispensaries, whenever they are opened, should not be opened at the places in which the members of the district boards or of this House are interested but that equal treatment should be meted out to all places. I am not aware of any instances where invidious treatment has been meted out, but I may point out that the place where a new dispensary is to be opened is mainly decided by the district board. Finally, I quite agree that a big effort has to be made for the expansion of medical relief in rural areas; and I hope that the district boards as well as all those who are interested in rural areas—I specially appeal to my zamindar friends inside and outside this House—will co-operate in bringing into existence new dispensaries for which there is so much need. As for our own schemes, we hope that the proposed committee will be able to formulate proposals which will bring about their fruition.

At this stage the Council adjourned for lunch.

After the recess the Deputy President took the Chair.

Thakur Manjit Singh Rathor moved for the closure.

Question, that the question be now put, put and agreed to.

Babu Shyam Lal : I have heard the Hon'ble Minister with interest, I am not so ungrateful as to say that nothing has been done in this direction. I am also conscious of the remark made by my friend Hafiz Hidayat Husain that my resolution is practically the same as was passed requesting the appointment of a committee. I was conscious of this when I gave notice of my resolution ; but I think I am not wrong when I say that the method of the Government was

آهسته خرام بلکہ مستحرام

I thought that it would take a long time for the committee to be appointed, and it was in this belief that I put up this resolution. As regards the attention that my resolution suggests that nothing has been done by the Government I would submit that the wording of my resolution denotes that something has been done. The resolution asks that more money should be granted to district boards. Other provincial Governments have treated their district boards very liberally, and I have got the figures which will show quite a different state of affairs in these provinces. In 1924 the United Provinces Government spent $6\frac{1}{2}$ lakhs on medical relief ; while in 1925 they spent only $5\frac{1}{2}$ lakhs. Further, the district boards got in 1925 Rs. 1,88,000, while in 1926 they got only Rs. 1,15,000. I think this is a retrograde action and a movement in the wrong direction. But I am hopeful that the Hon'ble Minister in charge of the Educational and Medical departments will help us and will kindly accept the very modest request of a non-contentious character.

The Hon'ble Rai Rajeshwar Bali : The honourable member has quoted figures by which he has tried to show that our expenditure in a certain year has been lower than in the year before. The figures have just been placed before this House. I am sorry I am not prepared with them and cannot therefore give the reasons why this decrease happened in that year. However, I shall look into the matter, and shall try to satisfy the honourable member if he so desires.

The resolution was put and adopted.

THE UNITED PROVINCES VILLAGE SANITATION (AMENDMENT) BILL.

Rai Bahadur Lala Mathura Prasad Mehrotra : I beg to take leave of the Council to introduce a Bill to amend the Village Sanitation Act no. II of 1892.

The Deputy President : Has the honourable member the leave of the House to move the introduction of this Bill ?

(Voices of assent.)

The honourable member may introduce the Bill.

Rai Bahadur Lala Mathura Prasad Mehrotra : I beg to introduce the Bill to amend the Village Sanitation Act, 1892.

RESOLUTION *re* ASSESSMENT TO REVENUE OF CERTAIN
ZAMINDARS' CESSES.

Rai Bahadur Babu Mohan Lal : I beg to move—

"That this Council recommends to the Governor in Council that he may be pleased to order that the value of bhusa, hari, payal, ras, chari, etc., which the landlords annually receive from their tenants according to the old-established custom in lieu of the assistance given by them to their tenants in various ways, should not be taken into consideration for the purposes of the assessment of land revenue but all such dues which the landlords get should be entered in the dastur dehi of each village."

Now Sir, the necessity for moving this resolution has arisen in this way that land records are being revised in my part of the province, and zamindars are asked to get the value of these things entered in the dastur dehi. The value is being recorded simply with a view to settlement of land revenue, otherwise there was no necessity to give the value of these things which they never receive in cash but always in kind. We have come to know that with big landlords, in their estates assessments have actually been made on these dues. Therefore this resolution has been introduced for the consideration of this House. What is land revenue. Before we can find out whether these things are assessable to land revenue or not we should know this. Before the advent of the Mogul Empire a portion of the grain produce of the land was taken as revenue by the State. It was taken in various proportions varying from half to one-sixth and one-third as time went on, and in the time of Akbar the Great this land revenue system was systematized and this grain revenue was turned into cash revenue, and then the value of the land according to the rental value was taken into consideration for the purposes of assessment of land revenue and that is the case under British rule also. Here, too, the valuation of land is made according to the recorded rental of villages and revenue is assessed on the rental value of land. These things which we the zamindars receive have been given to them from time immemorial by virtue of old-established custom, the reason being that the zamindars in return give a lot of assistance to tenants in various ways. First, they give their land for the tenants to live upon, to feed their cattle upon the land without charging any rent. In villages no ground rent for houses or rent for the houses is charged. Then for their implements we give wood free of cost. We allow their cattle to graze on pasture land and we do not charge any grazing rent from the tenants. In marriages we supply them materials and give them other help in various ways. Also we give help yearly in the shape of timber for their thatched houses and we do not charge anything for these things. It is by way of gratefulness on the part of the tenants that they help the zamindars by these things. It is only in such villages in which zamindars have their *sir* or keep their cattle that the tenants are required to give these things to them. These things go a long way to help the zamindars in the cultivation of their *sir* and feeding their cattle. This has been in vogue only on account of the cordial relations which have existed between the landlords and tenants. It is well-known that landlords always treated the tenants like their children and the tenants looked on the landlords as their parents, and it is on account of this co-operation between landlord and zamindar that this custom has come into vogue, and on our part it is also recorded in the wajib-ul-arz of each village. I have shown to the House that

[Rai Bahadur Babu Mohan Lal.]

land revenue is assessable only on the grain produce of the land, and it can be in cash or kind. I have shown that previously it was in kind and now it is in cash. So under no circumstances these things which are not paid as part of rent or produce of the land should be assessable. I hope therefore the Government will accept this resolution if they have no intention of assessing these things. Then, Sir, *sewai* is a different thing. *Sewai* income is derived directly from the land such as rent of *singhara* produce or value of *senta* or *pathawar* or other things which grow on the land and which a zamindar takes directly from the land and makes profit from. These things have nothing to do with the produce of the land, but they are given by the tenants as a sort of help to the zamindar in lieu of the help which the zamindars give to them. Therefore these things do not fall within *sewai* income and under no circumstances these things should be included in the *sewai* income assessed to revenue. So far I have not been able to come across any written orders by the Board of Revenue as to why the land record officer is putting down the value of these things in the revision of land records. Presumably it is being done with the intention of adding them to *sewai* income and thus to swell the assets of the estates and assess them to revenue. If the Government has no intention of assessing these items or if the land record officer has no such order to put down the value of these things, the Government may give out their intention before the House and then if they have no such intention I might be prepared to withdraw the resolution.

Mr. H. A. Lane : I think it will only be necessary to explain the position to satisfy the honourable mover that it is not the intention of the Government to assess to land revenue cesses of the kind which are referred to in the resolution. The resolution refers to certain customary payments which are made periodically in lieu of the assistance given by the zamindars to their tenants. Cesses are roughly of three kinds. There are those paid by agriculturists which are in the nature of rent. Section 56 of the Land Revenue Act says: "In the North-Western Provinces all cesses which are payable by tenants on account of the occupation of land and which are of the nature of rent payable in addition to the rent of tenants," etc. That is the first class of cesses. As a rule these cesses take the form of a percentage of the rent usually expressed as a percentage of the rent recorded in the *khatannis*. The custom as regards this class of cess has been at settlements to incorporate them in the rent. They are in the nature of rent and they really form a part of the rent. They are collected annually, year by year, and they are sharply distinguishable from the cesses of the nature referred to in the resolution. When it is discovered at a revision of records that cesses of this kind exist, the custom is to include them in the rent.

The second class of cess is also paid by agriculturists. They are not in the nature of rent. These are the cesses of which reference is made in the resolution. Ever since the Saharanpur rules of 1858 and possibly earlier, but certainly since then, it has been the deliberate policy of the Government not to assess revenue on cesses of this kind. The directions to settlement officers issued under the Saharanpur rules are that the receipts from natural products (*jalkar phulkar* and *bankar*) being of considerable value should usually be taken into account in fixing the revenue, but that when

collections consist of petty dues or services in the shape of small periodical collections or presents or dues of a religious nature they are never assessed to revenue. This is the provision in the Saharanpur rules and it has been followed ever since. The honourable member referred to a case which has lately come to his notice. That case, I understand, is not really comparable with the case now under consideration. In that case what happened is this: There were certain customary dues which had been taken, and taken regularly. The landlord, probably for his own advantage, but also partly for the convenience of the tenants, had those customary dues converted into their cash value. The cash value was recorded in the khatauni, that is to say, it was recorded as part of the rent. It therefore passed into rent and revenue was assessed when the district came under settlement. But that, Sir, is a very different case. It is difficult to see what other course could be followed in a case like that. The annual dues which are recorded in the khatauni are a payment in the nature of rent. They cease to become customary dues, and that is the reason why in that particular case revenue was assessed on those items. But so long as these customary dues are of a nature specified in the resolution and also of the nature specified in the Saharanpur rules, which are exactly the same, they are not included in the assets. They have never been so included in any settlement that has been made during the last half century. No revenue is assessed upon them and indeed it is not the intention of Government to alter this policy which they have followed so far.

As regards the inquiry, which it is alleged has been going on in Hardoi, Government have no information. They will ask the Board to find out why the inquiry is being made and with what object.

The question of record in the dastur dehi is another point, which is raised in the resolution. Section 84 of the Land Revenue Act specifies matters which are to be recorded in the dastur dehi. They include only four items and concern matters upon which there has been an agreement between the landlords. Further, sub-section 3 of section 84 says: "the settlement officer shall also ascertain and record the existing village custom in regard to any other matter which he may be directed to record by rules made under section 234." Now, these rules are made by Government, and until the Government direct that these matters shall be inquired into, there is no reason why an inquiry should be made. So far Government have passed no orders in Hardoi that an inquiry of this sort should be made, nor have they any intention, as far as I am aware, of doing so.

I hope the honourable mover will be satisfied with the assurance that Government will inquire as to what exactly is being done in Hardoi, and will not press his resolution.

Khan Bahadur Hafiz Hidayat Husain: Mr. Lane has referred to section 56 of the Land Revenue Act. It is stated there that all cesses which are payable by tenants on account of the occupation of land and which are of the nature of rent payable in addition to the rent of tenants, or in lieu of which proprietary rights may be assigned under section 78, b) shall be recorded by the Record Officer under the appellations by which they are known, and no cesses not so recorded shall be recoverable in any civil or revenue court. Now, this resolution seeks to ask, firstly, that the

[Khan Bahadur Hafiz Hidayat Husain.]

value of things which the landlords annually receive from their tenants should not be taken into consideration for the purposes of assessment of land revenue, and secondly that all such dues which the landlords get should be entered in the dastur dehi. I want to inquire from the Government if the cesses covered by the resolution though they shall not be assessable for purposes of revenue, could be recovered by the landlord through the civil or revenue court.

Shaikh Habib-ullah : I have heard from the general expert in revenue matters, that bhusa, hari payal, ras, chari, etc., which the landlords annually receive from their tenants, are periodical collections. Speaking from my personal experience, I should like to say that such is not the case. These cesses are collected every year. In fact the better class of landlords in compliance with the wishes of the Government do not collect them in kind but they have fixed a very moderate sum in lieu of these cesses. At one time bhusa was collected by bundles. Some bundles contained 2 maunds and some 3 maunds. The landlords found it very harsh. They said that it was too much and they have fixed at some places Re. 1 and at others 8 annas in lieu of this. This was done in compliance with the wishes of the Government. Now this has been turned into rent as defined by the honourable Revenue Secretary. I cannot understand this. I think we ought to make it clear as to what is a cess and what is not a cess. It is to the interest of the tenant that this should be paid in cash, say 8 annas or Re. 1 instead of a bundle of one or two maunds of bhusa. I have not stood to speak against the Government but for the Government, in order to enable them to know the real definition of cesses before they can come to a correct decision on the point. I am afraid the honourable Secretary is absolutely wrong, and if they go wrong on facts how they can come to a right conclusion, I cannot understand.

The Deputy President : There is an amendment of Lala Nemi Saran which was received as late as 9 p.m. on October 31, 1927. Is there any objection to its being moved ?

Rai Bahadur Babu Mohan Lal : Yes, I object to it.

The Deputy President : The amendment cannot be moved. Does the honourable mover of the resolution wish to withdraw the resolution ?

Rai Bahadur Babu Mohan Lal : When I have heard the Hon'ble the Finance Member then I will decide whether I should withdraw it or not.

The Hon'ble Sir Sam O'Donnell : I really have nothing to add to what Mr. Lane said. Mr. Lane spoke on behalf of the Government. The position is as he stated it, namely, that we do not assess revenue on customary dues of the kind specified in this resolution. The only assets which we take into account are those assets which are actually part of the rent and are recorded in the papers as such. As regards the inquiry that is being made by the Land Records Officer in Hardoi, we will find out why he is making this inquiry and what his object is. But the position is that we have never taken revenue on assets of this kind and we do not propose to do so.

The resolution was, by leave of the Council, withdrawn.

RESOLUTION *re* RECLAMATION OF CRIMINAL TRIBES.

Pandit Rahas Bihari Tiwari

श्रीमान डिप्टी प्रेसीडेंट साहिब,

आप को आज्ञा से मैं नीचे लिखा प्रस्ताव इस कौंसिल के सामने रखता हूँ:—

"That this Council recommends to the Governor in Council that early steps should be taken to entrust the reclamation of criminal tribes to such social and philanthropic organizations of the faith professed by the tribes concerned as are willing to undertake the work."

श्रीमान जी, criminal tribes के बारे में

The Hon'ble the Finance Member: On a point of order, Sir. The honourable member can read English very well and therefore he can speak in English also.

The Deputy President: He may be able to read English but he may not be able to speak in English.

Pandit Rahas Bihari Tiwari: श्रीमान जी criminal tribes के सुधा का प्रस्ताव सन् १९११ से इस कौंसिल में आ रहा है। सन् १९११ ई० में इस प्रस्ताव का पहिले पहल हमारे इस शहर के माननीय बाबू गंगा प्रसाद जी वर्मा ने कौंसिल के सामने रक्खा था। उस समय मिस्टर वर्न साहब ने यह कहा था कि अगर कोई हिन्दू सासाइटो इस काम को करने के लिये तैयार होगा तो गवर्नमेंट इस पर विचार करेगा। इसी तरह सन् १९२१ ई० में इस कौंसिल के प्रेसीडेंट श्रीमान राय साहिब लाला सोताराम जी ने प्रस्ताव रक्खा था और उस समय जो होम मेम्बर साहिब महाराजा महमूदाबाद थे उन्होंने यह उत्तर दिया था:—

"I fully endorse what has been said by my friend Mr. Chintamani. I can assure the honourable member that the motion will receive my most careful consideration and I fully sympathize with the religious side of the question. I will ask my honourable friend Rai Sita Ram Sabib to withdraw his demand because by doing so he will strengthen my hands and I can assure him that I will give my best attention to his views."

इसके बाद इस कौंसिल में मार्च में इस विषय पर बजट के समय फिर विचार हुआ और इस पर बहुत बहस हुई। मैं आप के सामने criminal tribes के बारे में यह बतलाना चाहता हूँ कि दिसम्बर सन् १९२६ ई० तक हमारे सूबे में ५०११९ criminal tribes के आदमी थे इनमें ९३९ मुसलमान थे और बाकी हिन्दू थे criminal tribes तीन हिस्सों में बांटे गए हैं एक तो वह जिनको रजिस्ट्री हो गई है और वह अपने घरों में रहते हैं। दूसरे वह जो इधर उधर घूमा करते हैं। और तीसरे वह जो किसी सेटिलमेंट में रखे जा रहे हैं। पहिली प्रकार के लोगों को अर्थात् उन लोगों को जो अपने घरों में रहते हैं ज़रूरी है कि जब वह किसी जुर्म के सबब से सज़ा भुगत कर लौटें तो लाज़िमी है कि फौरन आकर गवर्नमेंट officials को इस बात की रिपोर्ट करें कि वह जेल से छूट आये हैं और जिस समय वह घर पर जावें तो उस गांव के मुखिया और चौकीदार और हल्के के थानेदार को अपनी आमद की इत्तिला करें। उनके लिये यह भी ज़रूरी है कि सूरज निकलने के बाद से सूर्य अस्त तक तो वह अपने

[Pandit Rahas Bihari Tiwari.]

गांव के बाहर काम कर सकते हैं लेकिन अगर सूर्य अस्त होने के बाद वह कहीं जाना चाहें तो उनके लिये ज़रूरी है कि मुखिया को या चौकोदार को या उस हल्के के धानेदार को इत्तिला करें। इसका परिणाम यह होता है कि यह बिचारे इन्हीं तीनों लोगों के बस में होते हैं और अगर यह लोग किसी तरह उनसे ख़फ़ा हो जाय तो उनको बड़ी दुर्गति करते हैं। मुखिया लोग उन पर बहुत ज़ियादतियां करते हैं और उन से बहुत थोड़ी मज़दूरी पर काम लेते हैं इससे उन को बड़ी परेशानी उठानी पड़ती है। अगर वह किसी सबब से नाख़ुश हो गये तो उनकी मौत आ जाती है और अगर वह घर में भी होते हैं तो उनकी ग़ैर हाज़िरी को रिपोर्ट कर दी जाती है जिसका नतीजा यह होता है कि उन को फिर जेल की हवा खानी पड़ती है। इसी तरह से अगर उन से चौकोदार या धानेदार नाख़ुश हो गये तो भी उनकी यही गति होती है। बहुत से लोग बेचारे जेल से छूट कर आने के कुछ ही दिन बाद फिर जेल भेज दिये जाते हैं। चाहिये तो यह था कि जेल से छूट कर ईमानदारी से मेहनत कर ज़िन्दगी बसर करते लेकिन उनके ऐसा करने में तरह-तरह की दिक्कतें पेश आती हैं। इस का ख़ास कारण यह है कि वह लोग मुखिया, चौकोदार और धानेदार के हाथ में होते हैं। और अगर यह उनसे नाख़ुश हो गये तो उन्हें बड़ी तकलीफ़ उठानी पड़ती है। इस लिये मैं यह प्रार्थना करूंगा कि इस प्रकार के नियम बनाये जायें कि सिर्फ़ इन्हीं तीन आदमियों के हाथ से उन की फ़ैट डिसाइड न की जाया करे बल्कि और भी दो तीन आदमी गांव से ऐसे लिये जायें कि जिनका इस में हाथ हो क्योंकि अगर ३—४ आदमियों का इस में हाथ होगा तो यह दिक्कतें पैदा न होंगी क्योंकि अक्सर जगहों में वह बेचारे अपनी ज़िन्दगी से परेशान हो कर permanent criminals हो जाते हैं और वह यह चाहते हैं कि चूंकि हम जेल से छूट कर परेशान रहते हैं इस लिये यदि जेल ही में रहें तो अच्छा है जहां सुख से खायेंगे और सुख से सोयेंगे और इस लिये वह जेल ही में रहना पसन्द करते हैं।

दूसरे लोग ऐसे हैं जो इधर उधर घूमा करते हैं और जिनको Gipsies कहते हैं उनके पास अक्सर कुछ जानवर गाय, भैंस, बकरी आदि होते हैं उनको लेकर वह घूमा करते हैं जब उन की रजिस्ट्री हो जाती है तो एक ही ज़िले में उन को रहना पड़ता है। और उनके साथ पुलिस का सिपाही हमेशा रहता है यानी जिन २ हलकों में वह जाते हैं वहां का एक सिपाही रहता है जहां वह पहुंचते हैं वहां उनके साथ गाय, भैंस इत्यादि जानवर तो होते हैं परन्तु उनके लिये वह भूसे चारे का प्रबन्ध नहीं कर सकते इस से उन्हें बड़ी दिक्कतें होती हैं। दिन भर वह और उनकी औरतें भोजन मांगती हैं तब गुज़ारा होता है। रात में आस पास के खेतों में जानवरों को छोड़ देते हैं। इस लिये जहां वह रहते हैं वहां के लोग उनसे बड़े परेशान हो जाते हैं और वह चाहते हैं कि किसी तरह से यह यहां से चले जावें। और जहां जाते हैं वहां फिर वही दिक्कतें सामने आती हैं। अगर वह

बगैर पुलिस को रिपोर्ट किये चले जाते हैं तो उन्हें जेल की हवा खानो पड़ती है। इस तरह से पुलिस का सिपाही जो उनके साथ रहता है वह भी बहुत परेशान रहता है और वह चाहता है कि जितना जल्दी हो सके यह चले जायें। अगर आप लोगों ने उनको देखा होगा तो आप को मालूम होगा कि उनकी अवस्था बहुत ही खराब है। उनके पास छोटी २ सिरकी होती हैं न तो उनके पास पहिनने को कपड़ा होता है न खाने को अन्न या तो वह जंगली जानवरों को मार कर खाते हैं या ज़िम्मादारों और काश्तकारों को खेतों पर निर्बाह करते हैं। जहाँ वह उधरते हैं वहाँ के काश्तकार और पुलिस दोनों बहुत परेशान होते हैं। इस लिये यह बात बहुत जरूरी है कि उनके लिये settlement कायम किये जायें।

अभी थोड़े दिन की बात है कि लखनऊ जिले के करवल लोग, जो जरा-यम पेशा शुमार किये जाते हैं लेकिन जो क्षत्री थे, मेरे पास आये और बोले कि हम इस ज़िन्दगी से बहुत परेशान हैं हम मारे २ फिरते हैं हमारे छोटे २ बच्चे बुढ़े औरतें और मर्द सब परेशान हैं। जाड़े के दिनों में उनके लिये कोई ऐसी जगह नहीं है जहाँ पर वह रह सकें वरसात के मौसम में वह जंगल में पड़े रहते हैं उनके लिये कोई ऐसी स्थान नहीं है जहाँ पर वह वरसात से बच सकें उन्होंने कहा था कि हम चाहते हैं कि हमारा settlement कायम कर दिया जाय और वह ऐसी जगह पर रक्खा जाय कि जहाँ पर वह खेतों आदि का काम कर सकें वह कहते हैं कि हम जब किसी जंगल में उधरते हैं और आस पास के गावों में जाते हैं तो कोई भीख भी नहीं देता है और हम खेतों आदि का कोई पेशा भी नहीं कर सकते क्योंकि यह काम २-३ दिन में नहीं हो सका। उनमें कई बुढ़े आदमी थे मैंने जब वहाँ जाकर देखा तो मालूम हुआ कि उनकी ऐसी बुरी दशा है कि ऐसे जीवन से मरना अच्छा है। वह कहते थे कि अगर गवर्नमेन्ट को हमें इसी हालत में रखना है तो बेहतर है कि हम सब को जहाज़ में बैठा कर समुद्र में डुबो दे। इस लिये यह जरूरी है कि गवर्नमेन्ट उनके लिये settlement तयार कराये और उन सेटिलमेंटों में उनको रखे।

इन सेटिलमेंटों के बारे में यह प्रार्थना है कि जैसा पहिले बाबू गंगा प्रसाद जी वर्मा के प्रश्न के उत्तर में इस कौन्सिल में मिस्टर वर्न ने कहा था और हेम मेम्बर साहिब ने कहा था कि गवर्नमेन्ट इस काम को देने के लिये तय्यार है अगर कोई हिन्दू संस्था इनको लेने के लिये तय्यार हो। मैं आपका ध्यान चिट्ठी No. 6955/VIII—49 तारीख २४ अक्टूबर १९२७ की और दिलाना चाहता हूँ जो कि अभी हाल में पुलिस डिपार्टमेंट के डिप्टी सेक्रेटरी मिस्टर डारविन साहब ने मेरे पास भेजी थी:—

“ With reference to your letter No. 57, without date, I am directed to say that the Government have no intention of taking away any of the existing settlements from the control of the Salvation Army, but they would welcome concrete proposals from any accredited associations, including the Arya Pratinidhi Sabha, for the reclamation of any criminal tribe which has so far not been restricted to a settlement. The field is a wide one and if

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your sabha is ready to consider the breaking of fresh ground, its proposals will be sympathetically considered."

अब आप देखें कि अब तक तो गवर्नमेंट हमेशा हमको यह उलाहना देती रही कि हिन्दुओं में ऐसी कोई सोसाइटी नहीं है जो कि criminal tribes के settlements को लेने के लिये तय्यार हो और जब इस को लेने के लिये आर्थिक प्रतिनिधि सभा यू० पो० तय्यार हुई तो हमें यह कोरा जवाब दिया जाता है। ऐसा कोरा जवाब पाने की हमको आशा नहीं थी। सन् १९१२ में जब पंजाब गवर्नमेंट ने यह निश्चय किया था कि criminal tribes के लिये settlements बनाए जायें तो उस वक्त मिस्टर अब राजा दीवान कृष्णकौल साहिब स्पेशल ड्यूटी पर नियत किये गये तो उन्होंने जितनी भी सोसाइटियां पंजाब में थीं यानी मुसलमान, हिन्दू, आर्यसमाजी सिक्ख इत्यादिक सब से पूछा कि क्या वे इस काम को करने के लिये तय्यार हैं आप यह जान कर खुश होंगे कि गवर्नमेंट ने उन सोसाइटियों को criminal settlements का काम दिया जो इस काम को करने के लिये तय्यार थे। मैं बड़े अदब के साथ गवर्नमेंट से प्रार्थना करूंगा कि जैसे पंजाब गवर्नमेंट ने पंजाब में किया है क्या हमारी गवर्नमेंट ने भी Hindu Societies या Muslim Societies से इस बात को पूछा था कि इन criminal tribes के settlement कायम करने के लिये वह तय्यार हैं। पिछली कौन्सिल में बजट के समय २४ तारीख मार्च को मिस्टर चिन्तामणि ने होम मेम्बर साहिब से कहा था कि क्या होम मेम्बर साहिब बतला सकते हैं कि क्या criminal tribes का काम करने के लिये गवर्नमेंट ने साल वेशन आर्मी से कहा था या स्वयं उन्होंने प्रार्थना की थी होम मेम्बर साहिब ने कहा था कि जब यह settlement कायम हुए थे तब वह लड़के थे और उनको इसका ज्ञान नहीं है। इस पर मिस्टर चिन्तामणि ने उन से कहा था:—

Mr. C. Y. Chintamani: Mr. L. M. Kaye told the House in 1921 in reply to you, Sir, that Sir John Hewett finally asked the chief officer of the Salvation Army if they would take the matter up.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: However it may be, we cannot be held responsible for the action of Sir John Hewett's Government in the matter. As I have already stated, the Government are quite ready to help in the work of civilizing of these criminal tribes if any Hindu organization comes forward for the purpose.

अब आप सोचिये कि जब कभी कौंसिल में यह प्रश्न आया है तो कहा गया है कि कोई organization इस काम के करने के लिये तय्यार नहीं है और जब हमारी सभा ने उनसे प्रार्थना की तो कोरा जवाब दे दिया। हमें होम मेम्बर साहिब से ऐसा उत्तर मिलने का बड़ा ताज्जुब है क्योंकि आप पर हिन्दू मुसलमान दोनों communities का पूरा भरोसा है और आपने खुद अपनी स्वीच में यह कहा है कि वह हिन्दू और मुसलमान दोनों हैं हमें मिस्टर डारविन के लिये कोई ताज्जुब नहीं है क्योंकि यह मिस्टर डारविन वही हैं जिन्होंने

बाबू भगवानदास जैसे देशभक्त को जेल में ठूस दिया था। होम मेम्बर साहब जोकि हिन्दू और मुसलमान दोनों हैं उनके लिये ऐसा उत्तर देना एक ताज्जुब की बात है।

गवर्नमेन्ट यह कहेंगे जैसा कि उनको चिट्ठों से ज्ञाहिर होता है कि criminal tribes के सुधार को बहुत सी बातें हैं जिनको आप कर सकते हैं वह कहेंगे कि सिर्फ ३४ सौ आठमो ऐसे हैं जो इन सेटिलमेंट्स में रहते हैं अगर तुम ५० हजार में से ३४ सौ छोड़ दो तो तुम्हें क्या आपत्ति है या कौन सी कठिनाई है इसका उत्तर यह है कि Salvation Army के लोगों ने जो काम इन लोगों में किया है मैं हिन्दू और मुसलमानों को और से उनका धन्यवाद देता हूँ उन्होंने यथार्थ में अच्छा काम किया है और कर रहे हैं। लेकिन क्या इसके यह मानो हो सकते हैं कि जो British Government भारतवर्ष में आई है और उसने बहुत सी अच्छी २ बातों का प्रचार किया है मसलन रेल, पोस्ट आफिस इत्यादि २ तो क्या यह मान लेना उचित होगा कि जो गवर्नमेन्ट उस समय आई थी जब हिन्दुस्तानी अपना काम नहीं कर सकते थे तो क्या अब भी जब कि हिन्दुस्तानी इस योग्य हो गये हैं कि अपना कार्य खुद चला सकें तो उनसे यह कह देना न्याय पूर्ण होगा कि तुम सेल्फ़ गवर्नमेन्ट नहीं पा सकते? सालवेशन आर्मी ने बहुत अच्छा काम किया है हम उनको स्तुति, प्रशंसा और तारीफ़ करते हैं, लेकिन जब उन्हीं को community के लोग यह काम करने के लिये तय्यार हैं तब कोई सबब नहीं मालूम होता कि उनसे यह न कहा जाय कि तुम अब इस काम को संभालो ॥

सन् १८९९ और १९०० ई० में जब हमारे सूबे में बड़ा भारी अकाल पड़ा था उस समय गवर्नमेन्ट हिन्दू और मुसलमानों के लड़के और लड़कियों को इसाईयों को दे देती थी लेकिन जब १९०७ और १९०८ में फिर कहत पड़ा उस समय हिन्दू मुसलमानों ने इस पर बड़ा agitation किया। और उस आंदोलन में लाला लाजपतराय ने बहुत बड़ा भाग लिया था उन्होंने कहा था कि कोई सबब नहीं मालूम होता कि क्यों हिन्दू मुसलमानों के बच्चे इसाईयों के यतीमखाने में भेज दिये जाते हैं। इस agitation का नतीजा यह हुआ कि गवर्नमेन्ट को यह बात माननी पड़ी और सन् १९१२ ई० में Famine Code को amend किया गया अब section 166 के अनुसार जिस मजहब के अनाथ हैं उसी मजहब वालों को दिये जाते हैं। जब गवर्नमेन्ट ने इस पालिसी को स्वीकार कर लिया है तब कोई कारण नहीं प्रतीत होता है कि जब दूसरी सोसाइटियां काम करने के लिये तय्यार हैं तो गवर्नमेन्ट क्यों उनको नहीं देती। हमें एक डर और है और उसको हम साफ़ तौर से इस कौन्सिल के सामने रख देना चाहते हैं और वह यह है कि अगर इसी तरह से गवर्नमेन्ट ही criminal tribes के काम में बाधाएं डालती रहें और settlements का काम कि जिनको तादाद ७ है हिन्दू मुसलमानों को न दिया और हमारे लिये नये settlements बनाये गये तो उस वक़्त हमारी हालत और भी ख़राब होगी क्योंकि उनमें बदमाश होते हैं और अगर

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जरा २ सी बात में हम से गवर्नमेन्ट से मुढ़ भेड़ हुई तो और परेशानी होगी। एक समय था जब कि रियाया गवर्नमेन्ट से non-cooperation कर रही थी लेकिन इस समय गवर्नमेन्ट ही हमसे non-cooperation कर रही है इस समय हमको यह डर है कि अगर कहीं हमने काम शुरू किया तो कहीं ऐसी दिक्कतें न पैदा हो जावें कि हम लोग छुद ही भगड़ों में फंस जायें और यह मिसाल हो कि चौबे जी छब्बे जी होने को गये थे लेकिन दुबे ही रह गये। कहीं ऐसा न हो कि इन criminal tribes के साथ २ हम लोग भी criminals करार दे दिये जावें और हमको भी जेल जाना पड़े। अगर हम इन लोगों का सचमुच सुधार करना चाहते हैं तो यह सुधार भीतर से होना चाहिये न कि बाहर से। जैसा कि criminal tribes section की रिपोर्ट सन् १९२६ में लिखा है :—

“The Pasi reforming panchayats, which have proved a success . . .

The Deputy President: The honourable member had better read it in a faulty and halting manner otherwise he will be caught.

Pandit Rahas Bihari Tiwari: “in the Allahabad district criminal settlements, have been established in Partabgarh, Fatehpur, and Unao also. Experience has shown that reform from within is more stable, and the one measure which produces a very salutary effect upon the mentality of the criminal elements is their boycott by the peaceful members of the community. Much good can be expected from systematic organization of these panchayats.”

इलाहाबाद, फतेहपुर, उन्नाव और प्रतापगढ़ के पासियों ने जो पंचायतें कायम की थीं उनसे बहुत अच्छा काम हुआ है और इस पर गवर्नमेन्ट ने भी संतोष प्रगट किया है। मैं समझता हूँ कि अगर इन जातियों का हम सुधार करना चाहते हैं तो इसके लिये बहुत जरूरी है कि नई पंचायतें कायम करें और उन्हीं में से पंच मुर्करर करें। लखनऊ के ज़िले में भी पासियों की पंचायत काम कर रही है और अगर कोई पासी चोरी या बदमाशी में जेल जाता है तो उसे बिरादरी का दंड भी पंचायत से दिया जाता है। इस प्रकार की पंचायतें अगर हर एक ज़िले में कायम हो जायें तो उनका सुधार बहुत जल्दी हो सका है। एक बात मैं और भी गवर्नमेन्ट को suggest करना चाहता हूँ वह यह कि पुलिस द्वारा भी इनका सुधार बहुत जल्दी हो सका है। अगर उसी धर्म के कुछ ग्रौफ़िसर पुलिस तैनात किये जायें और वे उनके सुधार के लिये लेकचर भी दिया करें। तीसरी बात मैं गवर्नमेन्ट को यह suggest करूँगा कि उनके लड़कों के लिये पढ़ने लिखने का सुभोता कर दिया जाय। चौथी बात यह है कि मैं जनाब Inspector-General of Police से यह प्रार्थना करूँगा कि पासी और बैरिया ऐसी जातियाँ हैं जो बड़ी बलवान और निर्भीक होती हैं हालाँकि इनको चौकीदारों में भरती किया जाता है लेकिन नहीं मालूम किस सबब से इनको पुलिस में भरती नहीं किया जाता। इनको पुलिस में भरती किया जावे। हालाँकि ऐसा कोई नियम नहीं है कि यह लोग पुलिस में भरती न किये जावें लेकिन एक भी पासी या बैरिया कानिस्ट्रबल नहीं है। अगर इनको कानिस्ट्रबल बनाया

जायगा तो इनका उत्साह बहुत बढ़ेगा और वह लोग सोचेंगे कि अगर हम इस बुरे काम को छोड़ देंगे तो गवर्नमेन्ट हमारी मदद करेंगी। और चूंकि इस समय वह कानिस्टबिलों द्वारा सताये जाते हैं फिर वही कानिस्टबिल बन कर अपनी जाति के लोगों को रक्षा करेंगे। अगर पुलिस में इनमें से मजबूत और बहादुर आदमी भरती किये जाने लगे तो इनका बहुत कल्याण हो जावे।

The Deputy President: This should be the last prayer.

Pandit Babas Bihari Tiwari: मैं इन्हीं शब्दों के साथ इस प्रस्ताव को इस कौन्सिल के सामने रखता हूँ और आशा करता हूँ कि गवर्नमेन्ट इस प्रस्ताव को स्वीकार करेंगे। यह ऐसा simple प्रस्ताव है जिसको गवर्नमेन्ट को कभी भी मुखालिफत नहीं करनी चाहिये। इन्हीं शब्दों के साथ मैं इस प्रस्ताव को आपके सामने रखता हूँ और आशा करता हूँ कि होम मेम्बर साहिब, जैसा कि उन्होंने अपनी speech में मार्च में कहा था इसको स्वीकार करेंगे और हिन्दू मुसलमान दोनों के धन्यवाद के पात्र बनेंगे ॥

Thakur Manjit Singh Rathor: The resolution, which has been moved before this Council, is one in support of which many words are not needed. This question has a long history. As has been pointed out by the honourable mover, full sixteen years have passed and the question has been brought time after time before this House, but the Government, in their usual manner of proceeding or, I should say, hastening slowly, have been shelving the question. All of us are aware that the Government is a slow coach to drive, so we should not be surprised or disappointed at the rate of progress. On a question of such an importance I have only to point out that it is very surprising that the Government, which professes to be a very civilized and a very progressive Government, should have faith in the caste of people by birth. I claim to be one of those who believe in social reform, and I believe the caste of people does not come by their birth but by their actions. But it is surprising that the Government should consign to eternal damnation some people simply because they happen to be born in a low, backward community which is described as a criminal tribe. I would ask the honourable members of this House to understand what is possibly the fault of a child who happens to be born to a mother belonging to what is described as a criminal tribe? What is the fault of the infant which has not been given the benefit of education, which is not given the benefit of good social and healthy surroundings, and is for ever to be regarded as a criminal and as something to be despised and to be hounded and not given an opportunity of becoming a useful citizen. I think the Government owe it to us, and, at this time when we are for progress all round, it is our duty to bring it to the notice of the Government that this system of branding a certain section of the community as criminal is not desirable. We who want progress for India, we who say that Indians should not be treated as *pariahs* in the colonies, we who desire that in Kenya and parts of the Empire Indians should not be regarded as untouchables, we have no business to perpetuate the system of branding a certain section of the community now as criminals. Therefore I think it is in the fitness of things that the Government should revise their notions of what a criminal tribe is. Personally, I am inclined

[Thakur Manjit Singh Rathor.]

to think that even the best man can be changed into a criminal if he is always told that he is a criminal; although he may be an angel on earth he is bound to degenerate into a criminal in due course of time. If we desire that this blot of a criminal tribe should be obliterated from our province we should meet this question in a more sympathetic, kind and more humane manner and in a civilized fashion. Government claim that in matters religious their attitude is one of benevolent neutrality. I would point out that the Government ought to be as good in their deeds as in their professions. If the Government choose to adopt an attitude of benevolent neutrality in matters religious, Government have no business to give certain privileges to the Salvation Army people: they have no business to relegate some of our Hindu and Muslim brothers to the kind care and custody of what is known as the Salvation Army. We Hindus and Muslims do not want favours: we want a fair field and no favour. But do not show favour to the Salvation Army also. Do not kindly hinder the progress of reform, so far as Hindus and Muhammadans are concerned when they desire that criminal tribes should be reclaimed by them.

A question was put to the Council this morning, and the reply was that the criminal tribes are not fit and suitable to be taken in the police service. I put in a supplementary question. Is not a single member of the criminal tribe reformed enough to be eligible in the police service? My friend to the left was suggesting that I should say that one needs a thief to catch a thief. He was suggesting that it was necessary that at least in the Police department criminal tribes should be taken. I think if the administration of criminal tribes could be made in a more sympathetic manner, if criminal tribes were given proper education, proper training, and placed in good environments, I think that they would be the best policemen and people in the province would be saved a lot of trouble and annoyance at the hands of the gentlemen of the road. I have already pointed out that I am not one of those who would regard a man a criminal because he happens to be born of a criminal tribe family. It must be within the experience of most of us that people who are born in a high sphere of society sometimes degenerate into greater and grosser criminals than people who are born with the stamp of inferiority on their foreheads. I am, therefore, inclined to be optimistic and say that the effect of sympathetic care is always good, and it is the attitude of sympathetic care, which I have been trying to advocate before the Council. I am inclined to think that the future of many people, whose future today is gloomy and in whose life there is no sunshine or hope of happiness or prosperity, but who are constantly doomed to eternal damnation, relegated by society by its oppressive methods of tyrannical usage to what might be described as a circle of Dante's inferno, those people would have a ray of hope in their life, would have a prospect of happiness if they are properly treated and sympathetically managed; and instead of being put in charge of the Salvation Army if they are entrusted to such organizations amongst Hindus as the Arya Samaj and to similar organizations among Muhammadans who may be willing to come forward, I have no doubt that among the Muhammadans also there may be organizations who may be willing to take charge of these criminal tribes.

This resolution is very simple, and I hope a resolution of this kind will not meet with any opposition from any part of the non-official benches.

There is no gainsaying the fact that amongst the criminal tribes there are Muhammadans and there are Hindus. I would like that each member of a criminal tribe should be given a free choice in the matter of the asylum in which he prefers to stay, Hindu or Muhammadan according to his own religious belief. Personally, I am inclined to think that among the criminal tribes in India there are hardly any Christians, so it is going very much out of the way to put these criminal tribes in the charge of a Christian organization, who are perhaps doing their bit to reform these people but which has so far proved to be a failure and which cannot accelerate the pace of reformation in the manner in which we desire. Before I bring my observations to a close, I would like to point out point.dly one aspect of the question, and that is that the question of the reclamation of criminal tribes in India is not so important and of such an urgent nature, because the criminals are proving to be a greater menace to the safety and health and property of the people. But the question is that if the growing poverty of India continues, if the poverty of the people, which has been found so much in evidence during the last so many years, continues, I think even the best of people might be inclined to take to methods which are neither desirable nor permissible under the law. It does not matter whether a man is born in a criminal tribe or in a high stratum of society.

The Deputy President: May I remind the honourable member that he should confine himself to the resolution. The House is discussing criminal tribes and not the criminal propensities of man.

Thakur Manjit Singh Rathor: My point is that the members of the criminal tribes are what they are because they are poor. The State has failed in performing one of its principal functions, and that function is to provide or at least to attempt to provide means of employment to these people, and if we do not provide proper employment to these criminal tribes, for instance working on *khadi*, making more *khaddar* or engaging themselves in honest agriculture, if we do not do that, then no number of settlements either in Najibabad or in Dehra Dun district in Rajpur can reform them. Reformation is a thing which cannot appeal to a man by mere advice when rank starvation stares him in the face. It is a thing of necessity, and it is a matter subject to economic laws. Therefore, I submit that, while reformation should take place, we should also be anxious to provide conveniences to them to settle down as honest citizens in rural life.

There is an amendment of which notice is given. I do not want to refer to that, but I only want to say that if this resolution is to be effective and to bear fruit, it is but desirable and proper that the Government should give to those bodies which take charge of the criminal tribes that amount of money which they are at present giving to the Salvation Army. If that money is denied to the social organizations, I am perfectly sure that without that means the social organizations will starve and might not be able to continue their activities.

With these words I beg to extend my whole-hearted support to the resolution which has been moved.

Babu Rama Charana: I beg to move my amendment that the following be added at the end of the resolution: "Except that, if the tribes

[Babu Rama Charana.]

belong to the Hindu faith, option should be given to depressed class organizations to take up the work," and I would like to substitute the word "Provided" in place of the word "Except" as advised by some of my friends, if leave is granted to do so, otherwise I would let the word remain as it is.

[No objection was raised to this verbal change.]

My object in moving this amendment is not to oppose the main resolution but to give effect to the principle underlying it, namely, to give the right of self-determination and the rights of arranging their own house to the depressed classes also. Among the Pasis and other depressed classes there has been an effective panchayat system, and all of us know that the punishments that are inflicted by panchayats are far more effective and have a more salutary effect upon the persons than the punishments inflicted by the stringent hand of the Law and by the Government. The depressed classes are, therefore, more fit to reform their criminal element than their other co-religionists. My friend the honourable mover has given many of the reasons why this resolution should be passed, and in placing my amendment before the Council I would only support it with the same reasons as have been already adduced.

The Hon'ble the President here resumed the Chair.

Mr. E. Ahmad Shah : I beg to move the following amendment to the resolution which has been placed before the House. "Add the following words at the end of the original resolution :—'Along with organizations already working in the field.'"

The Hon'ble the President : Notice of this amendment was received late on November 1. Is there any objection to the moving of this amendment?

Objection having been taken the amendment was not allowed to be moved, but Mr. Ahmad Shah was allowed to speak on the motion.

Mr. E. Ahmad Shah : The resolution which has been so ably moved is worthy of notice and acceptance by the whole House. But there are certain points which I would like to place before the members of the House for their consideration. We are all well aware of the fact that this subject has been considered by this Council since 1911. We know the wishes of the people who have moved the resolution for the reformation of the criminal tribes and we have also heard the view of the Government. The honourable mover referred to an answer from the Government which has been lately received by him, indicating that now Government refuses to allow any other organization to come forward and carry on its work among the criminal tribes. So far as I have been able to infer from the answer of the Government read by the mover of the resolution, the point which was raised there as to the effect that organizations who are ready to undertake work amongst the criminal tribes may do so, but the work which is carried on under the Salvation Army people should be allowed to remain in the hands of that organization.

I do not oppose the spirit of the resolution. On the other hand, I accept it; but I would like to suggest my point of view which is this. The criminal tribes number some 50,000, and out of that number only 3,400 are in the settlements, out of which a little over 2,000 are looked after by the Salvation Army settlements. If other communities are in earnest and are prepared to come forward with their

organizations with their men and money to do genuine work, they are welcome to it. But I do not understand why they should pointedly, over and over again, aim at the work done by the Salvation Army people. There may be some apprehension in the minds of the members of this House that the Salvation Army is an agency which having taken control of the criminal tribes converts them to their faith. I may inform the members of this House that this is far from being the aim and object of the Salvation Army. From a recent communication from the head of the organization, I shall quote a sentence which will explain their object in doing this work, approved by every one of us. It runs as follows :—

“ While we claim to be a religious organization, our object is not to convert the people placed under our responsibility. On the other hand, however, our standards of life and conduct are set very high, and, in spite of about sixteen years' work amongst the criminal tribes, the Salvation Army membership among them is only recorded at 120 out of the total number of 2,227. Thus it is evident that we attach much greater importance to the development of character and habits than to the formal adherence to any particular creed.”

Sir, with this declaration in view the apprehension, which may be—I do not say that it is—in the minds of some honourable members, should be set aside; and their own laudable remarks praising the work of the Salvation Army, showing acceptance of work done for the criminal tribes should make them agree to the fact that as the Salvation Army has been doing this work, it should be allowed to continue to do it. There are over 46,000 people belonging to the criminal tribes, who are still left untouched by any organization, and if the majority of them belong to the Hindu faith as they are supposed to belong, I, belonging to the faith which is professed by the Salvation Army people, will welcome any attempt on the part of the Hindu community to come forward and start work among those 46,000 untouched and not cared for people.

The honourable member for Dehra Dun raised a point that, since there are so many organizations at work, members of the criminal tribes should be given the choice to go to any one of them. He, of course, had in view the settlements which are to be started by the Hindus and Muslims only, but as the Salvation Army settlements are in existence, when other settlements are actually started by the members of other communities, then certainly I would agree with his proposal that members of the criminal tribes should be given the choice of going to any of these settlements. I am quite confident, having seen the work done by the Salvation Army people, that if this choice is given, there will be scores of people who would be very willing to remain where they are; because they have found these settlements to their advantage. They have found there means of subsistence; they have found there sympathetic people; they have found places where they have got protection from so many dangers which threatened their life outside these settlements. If the choice is given to them I am sure the Salvation Army work will continue.

In the end I will appeal to my honourable friends once again, irrespective of the fact whether they belong to the Hindu, Muhammadan or Christian community that this work for the betterment of criminal tribes or for the betterment of any degraded section of any community whenever

[Mr. E. Ahmad Shah.]

it is undertaken, should not be looked upon from communal considerations. Every one, no matter to whatsoever community he may belong, should come forward to uplift the down-trodden people. And those who are sympathetic for, and devoted to such work and are sincere in their desire to do good to such unfortunate people, have ample opportunities for it. If with that outlook we the representatives of different communities look to the degraded people of our country now in question, viz., the criminal tribes, I think right means will be determined to ameliorate their lot. Let us not be carried away by communal feelings, but let us be open-minded. Let all good-hearted, well-meaning and well-intentioned people come forward and undertake this work for the good of this class as a whole. Christians are as much a part and parcel of the country as Hindus or Muslim, and almost every leader that has come forward on the public platform has recognized it. If Christians are doing some good work, let them do it. They are not opposing the national programme; they are not opposing any good work undertaken by the people of this country. I assure you, they are with you in every good work.

With this appeal I will close my speech and support the resolution in the spirit presented in my brief remarks.

Chaudhri Dharamvir Singh : The question which is the subject of this resolution is of such great importance that if I had a hundred tongues instead of one I would have used all of them in support of this resolution.

Sir, so far as this work of reforming the criminal tribes is concerned, every one who comes forward is welcome and nobody can resent his doing it. It must be admitted that the Christians of India have undertaken the most difficult work and have done it to a very great extent with labour. We should praise them for it, and our obligations are due to them. There is no denying the fact that they employed themselves in doing a work which high caste Hindus and Muslims would think to be filthy, but that Christian spirit which was preached by Christ or that vow of poverty which Christ enjoined on his disciples and followers has not been present in all the Christians who have been doing work among the criminal tribes. There has been, except a few personalities in India and a few other countries, no greater man on earth than Christ, but the question is how far the spirit of Christianity has been imbibed by the Christians who have taken charge of the criminal settlements. The question is not whether a particular individual or a particular community be allowed to uplift the depressed or criminal classes; every one is welcome to do it, and for what the Christians have done we must all thank them. But the question is whether you can force your religion on certain people or not. The backbone of the question that is before us is whether you are going to force certain convictions, certain dogmas upon a class of people and that, too, with the help of Government. The Government helps in it, and you are forcing those people to leave their old religion and adopt a fresh one.

-- **E. Ahmad Shah :** That has never been the aim.

-- **Dharamvir Singh :** That may not be the aim; the aim good. If you want an analogy from mathematics, I may

tell you that there is a certain thing known as "limiting point;" you cannot reach that "limiting point" although you may go in its vicinity as much as you can by prescribed paths. Whatever the aim may be, in practice things have been very different. The preachings of Christianity and the teachings of Christ are, perhaps, the best in the world, but what are the actions? It is to the actions that we must go. I have myself been a worker among these people who are said to be criminal. I daresay every man on the surface of the earth is a criminal. It is only our pride, it is only our prejudice that we call these people criminal and call ourselves honest men. If we take a higher view of morality, we shall find that we are the most degraded persons from that point of view. If you apply that standard, you will find that these educated people, these wealthy people whom, of course, all of us really represent, all trouble the world in various ways. Just see the officials, the zamindars, the mahajans, and all high class people, how much crime they do in suppressing the real humanity of the world. Can it be said that these criminal tribes people are excluded from the favours of God and that they are ever to remain in a state of oblivion in which they have been forced to remain? Cruelties by the police and by the people of the Salvation Army towards these people are most glaring, and only those can know them who have come in contact with these criminal tribes. It is not fashionable in this House to make remarks with the amount of force with which I am making them, but I have been compelled to do so because my feelings are pent-up in me and I am giving expression to them after keeping them in my heart for a very long period.

When I was a worker among the criminals what I found was that Christians came to them and tried their best to convert them to their faith. It must be granted that they are gentlemen, that they are civilized; but does it mean that they should on that account force others to become Christians as I came to know when any number of members of the criminal tribes told me that they had their tuft of hair (*choti*) forcibly cut off by them? They made this complaint to me, and most of them wept before me. That is the state of affairs. They have been compelled to leave their ancient faith and, what is worse, outside people are not allowed to visit the settlements of these tribes. Are not Government doing something criminal towards the criminal tribes? If not, why do they not allow outside people to visit the settlements? It is because the conscience of the Government is guilty. The Government are a party to forcibly converting innocent people to Christianity, people whom also we come here to represent though really we do not represent them. Such an injustice was never done on earth, and it is the first time that it has been done in India and it has been done under the British rule. You are by force converting these people, and it is only because they are so degraded, because they have no voice, because they are so poor, that you can do so. Had it been the case with Brahmins or Kshatriyas or high caste Musalmans, could you have done it? Never. You did something in the time of the Mutiny and found the result. Let a man become poor and he will become a criminal. It is poverty which makes people criminals and not anything which has to do with morality. Morally as I have said everyone on earth is a criminal. Put your hand upon your heart and find out to what extent you are following the teachings of Christ, or of the Prophet Muhammad or of the Vedas. We will find

[Chaudhri Dharamvir Singh.]

that we are no less criminals than those whom we call criminals. These so-called criminals are better men in a sense than ourselves, if real morality is the test. It is the society which has made them so degraded, and forced teachings have made their progress slow. One thing more, and it is this. If you want to reform a certain people, and if you want to train them in the culture, in the thoughts, and in the beliefs of their forefathers, but if for doing so you employ an external agency, or if you force upon them a religion which is not the religion of their forefathers or of their associates and neighbours, do you suppose that they can ever be reformed? That the reform among them has been extremely slow has been proved by the fact that not a single man has been found among the tribes who could be entrusted with the ordinary duties of a constable. That is the amount of reform that has been effected. I tell you, Sir, that if Hindu or Muslim organizations had been given charge of such criminal tribes as belong to their respective faiths they could have easily assimilated them, because, after all, where are these people to go? They have to enter the society which is outside, and when that outside society comes forward to assimilate them, and tries to reform them, the answer is given that it cannot take charge of them. My friends . . .

The Hon'ble the President : The honourable member is expected to address the Chair.

Chaudhri Dharamvir Singh : I beg your pardon. One of my friends has said that the total number of people among the criminal tribes is about 50,000, and those who are in the settlements is perhaps 3,400 or so, and that this number is very small in comparison to 50,000. He further said that if anybody wished to satisfy his desire of working for the uplift of these people he had got ample field for his labours. I say that the question has been thoroughly misunderstood. It is not a question of finding a field for some zealous workers. The question is only this; whether or not the people living in the settlements are forced to adopt a religion foreign to them; whether or not they are given a teaching against the religion which they profess? If this injustice is done to a single individual, the Council and all right-minded people are entitled to demand from the Government that that injustice should not be done towards that individual. That is the real question. If you concentrate your attention on this problem you will find that these poor weak people—3,400 as they are said to be—are, in these civilized days, forced to adopt a religion against their cherished beliefs. In his speech during the last budget session the Hon'ble the Home Member said that he did not know to what religion the Bhandus belonged. He said that they had no religion. I really feel shocked—I am not saying this by way of demonstration—I do really feel shocked. I say, if anyone of us gets by chance as poor as any of the criminal tribes, and if he becomes subject to as much tyranny of society as the criminal tribes, are, I think that people will begin to say about him that he has got no religion. These tribes have got their religion as high and as good as anyone of us, but the difficulty is that they are poor. I have been among them and seen them worshipping Kali and Durga. When they cooked their food, although they were said to be Christians, and Christians told them not to do so, but in spite of that they always dropped a little of their cooked food for Kali and

Durga. And they told me that the Christians had been trying to convert them, but even then they had regard for their own religion and resented conversion. These complaints were made to me. Christians come among them and make them sing songs of Christ, and if they disobey, do you know, Sir, what the result would be? The Padri or the Bishop will send a report to the police against those who refused to sing Christian songs, and then these unfortunate men will be arrested and put to trouble in various ways or will be sent from one settlement to another till they get separated from their relations. That was the tyranny that I found. I was not then a member of the Council, but I was a candidate and I assured these criminals that if I got elected to the Council I should speak for them these things. And this is why I am fulfilling a promise made long ago. The question is whether it can be allowed or not that such cruelty and injustice be practised upon these poor souls. If you are willing to continue all this then you are free to give the settlements to Christians and thus to put them in places which are worse than prisons or to throw them in the ocean as one of my friends said. Certainly I think it is better for them that they be thrown into the ocean than they be forced to live in those settlements. My friend says they desire to live in the settlements. What is the cause of the desire? It is that if they live there the police does not trouble them, and the settlement protects them against the police if they agree to become Christians. It is only on account of that kind of temptation that they desire to live there. They have told me that the settlements were to them worse than jails and that they would prefer jails to settlements. That is the question. My friends desire me to cut short my speech and, therefore, in a few more words I shall close. In one of the speeches reference has been made to Mr. Darwin. I say that we owe an apology to Mr. Darwin. I may refer to him, Sir?

The Hon'ble the President: I do not know which Mr. Darwin the honourable member means.

Chaudhri Dharamvir Singh: I mean the Mr. Darwin who, it is said, was responsible for sending Babu Bhagwan Das to jail.

The Hon'ble Sir Sam O'Donnell: The honourable member means the Mr. Darwin who is a member of this Council.

The Hon'ble the President: Not Mr. Darwin, the philosopher?

Chaudhri Dharamvir Singh: I think it is my duty to clear up certain misunderstandings.

The Hon'ble the President: I do not think that is very relevant to the discussion. It has nothing to do with the criminal tribes.

Chaudhri Dharamvir Singh: But reference was made to him.

The Hon'ble the President: One irrelevancy should not lead to another.

Chaudhri Dharamvir Singh: Very well, Sir. What I wanted to say was that it was not Mr. Darwin, but the Government that was responsible for sending Babu Bhagwan Das to jail. With these few words, I wish to support the resolution. I think the gentlemen who are put in these criminal settlements should have justice done to them. Let us go to

[Chaudhri Dharamvir Singh.]

them and ask them individually whether they prefer to live in the settlements or they prefer to be with their own people. If they say they want to go to their people, they should be allowed to do so. Christians, if they seek work for the welfare of humanity, would find sufficient work for them. I shall put before them thousands of schemes. If they wish to fulfil the real mission of Christ they can fulfil it everywhere—they can fulfil it first in their own hearts. The first and the nearest thing is the heart. The mission of Christ should be fulfilled first in your own hearts, and then there will be time to go to other people. Do not force your religion upon them. First make yourselves real Christians, and then you may find that you have become entitled to go to the world and preach Christianity. But as we see we are not Christians ourselves. It is only to increase our numbers that we are forcing people belonging to other faiths—weak people, to change their religion. I wish this resolution should be passed unanimously by this House.

Khan Bahadur Maulvi Fasih-ud-din : I do not propose to discuss this question with the zest, fervour, and force which was exhibited by my predecessor, for the simple reason that in my opinion the question requires a cool, dispassionate and unbiassed consideration. It is really a very serious question, and, in spite of the fact that it has been introduced into this Council more than once, we have not as yet come to a satisfactory solution. It cannot be gainsaid that the principle which underlies this resolution is perfectly sound. It cannot be gainsaid that, as a matter of justice and fairness, the settlements should be handed over to those organized bodies the members of which profess the same faith which the members of the criminal tribes do. But I am afraid that in connexion with the debate on this resolution the issues are confused. And my friend, Mr. Ahmad Shah, has tried to throw some light on them, but still the issues have not been very clearly brought out. In my opinion, the two main issues in connexion with this subject are (1) whether the present settlements which are under the management of the Salvation Army people should be made over to other bodies, whether Hindu or Muslim, and (2) whether the other bodies should be allowed to take up the work in connexion with about 46,000 members of the criminal tribes that have not come into these settlements. These are the only two questions that are involved in this subject. As for the first, I am sorry to say that I do not agree with the previous speaker that the management of these settlements by the Salvation Army people has been bad. I have some experience of the way in which the Salvation Army people handle these criminal tribes. I can testify to the fact that these people have worked in a very unselfish and a very noble manner. They have raised these criminal tribes morally, socially, and mentally. They have taught them various little cottage industries. They have taught them to read and write. They have taught them how to dress properly. In spite of all these I have not come across a single case in which they have made any attempt to proselytize these criminal tribes. This is one very satisfactory feature of the way in which the Salvation Army people manage these criminal tribes. I am not supposed to be an expert on the tenets of Hindu religion. But I know my own religion sufficiently well, and the very first words in the Quran Sharif say that God is the master of mankind. It does not say that God is the master of Muslims alone. For this reason, I think, we should

take a rather broader view of the matter. In my opinion a bad Musalman or a bad Hindu is worse than a good Christian. Because the Salvation Army people have not made as yet any attempt to proselytize these people, chiefly for this reason I think that the present settlements should be left untouched. But to be on the safe side I would rather suggest to the Government that they might issue specific orders to the Salvation Army and to the other organizations who may be in charge of these settlements not to do the work of proselytizing, but to do only social work among the members of these settlements.

The other issue is clear enough. We and the Government, in fact all the parties, are agreed that there is a big field before us for breaking up, and the Government should allow us every facility to take up the work of settlement in connexion with the vast number of criminal tribes.

Babu Ganesh Shankar Vidyarthi :

प्रेसीडेंट साहब,

इस वक्त जरायम पेशा के लोगों में हमारे सूबे में ५०१२९ आदमी हैं। इन में से मुद्रिकल से ३ हजार और कुछ अधिक Settlements में हैं। इन ३३६२ आदमियों में से ७ Settlements में बंटे हुए हैं। ६ सेटलमेंट तो Salvation Army को मातहतों में काम कर रहे हैं, और एक Settlement गवर्नमेंट का है जो कानपुर के जिले में कल्यानपुर में है। मेरे ख्याल में अब ख्याल यह है कि इन Settlements में जो लोग हैं वे उन लोगों के सुपुर्द कर दिये जायें जिनके मज़हब के वे मानने वाले हैं, इसका मतलब यह होगा कि Government Settlement जो कल्यानपुर में है, और दूसरे Settlements जो सालवेशन आर्मी के पास हैं वे लोगों के सुपुर्द कर दिये जायें।

गवर्नमेंट का जितना इन्तिज़ाम इस मामले में है, मुझे अफ़सोस के साथ कहना पड़ता है, कि वह संतोष प्रद नहीं है। मेरा तो ख्याल यह है कि इस रिजोल्यूशन के मुताबिक़ काम होने से गवर्नमेंट को भी इतमोनान होना चाहिये और गवर्नमेंट को खुशी से के साथ इस काम को non-official bodies के सुपुर्द कर देना चाहिये। गवर्नमेंट सेटिलमेंट जो कल्यानपुर में है उसमें मुद्रिकल से ४-५ सौ आदमी हैं। जो खर्च वहां पर होता है वह सन् १९२४-२५ में ४३ फ़ी आदमी के हिसाब से था। सन् १९२६-२७ में वह २६ फ़ी आदमी पड़ा है। Salvation Army का खर्चा इस वक्त में १० फ़ी आदमी के हिसाब से है। इस से मालूम होता है कि कल्यानपुर में बड़ी बेदरदी से रुपया बरबाद किया जा रहा है। यह तो रुपये की तबाही की हालत है। इस पर भी अगर गवर्नमेंट की तरफ़ से यह दावा किया जाय कि जरायम पेशा आदमियों के चाल चलन को उसने दुहस्त किया और उनके लिये पेशा मुहय्या कर दिया तो मैं अदब के साथ गवर्नमेंट से यह अर्ज़ करूंगा कि यह बात बिल्कुल ग़लत है। कल्यानपुर की वास्तव यह रिपोर्ट है कि वहां दर्जी और दूसरे क्लास खोल कर के जरायम पेशा के लोगों के माश का ज़रिया पैदा किया गया है। लेकिन ज़्यादातर उन्हें ट्रेनों में भर कर रोज़ कानपुर के कारख़ानों में काम करने के लिये भेजना पड़ता है। इस तरह से

[Babu Ganesh Shankar Vidyarthi.]

वे अपना ज़रिया माश पैदा करते हैं। यह तो वह आज़ाद रह कर भी कर सकते थे। यह तो हर सेंटिलमेंट के लोग कर सकते हैं। इस के लिये गवर्नमेन्ट की कोई तारीफ़ नहीं की जा सकती। रह गई जनरल पालिसी जो गवर्नमेन्ट की जरायम पेशा लोगों के मुताबिक है, वह तो इतनी ज़बरदस्त failure है—वह तो इतनी बड़ी नाकामयाबी है—कि अगर उसके ऊपर गौर किया जाये तो गवर्नमेन्ट के इस ढंग की जो जरायम पेशा आदमियों के मुताबिक वह बरतती है—जितना ज़्यादा मलामत की जाये उतनी ही कम होगी। जो कानून हैं वे बहुत सख्त हैं और उनका जो मामूली तरीके से बरताव है, वह भी मैं कहूंगा, कि अमानुषिक Lobuman है। वह इस तरह का है कि जरायम पेशा का आदमी कभी भी भले आदमी न बन सके। सरकारी रिपोर्ट में जो बटवारा हुआ है जरायम पेशा लोगों का, अगर आप इस गवर्नमेन्ट की रिपोर्ट का मुताला करें तो आपको मालूम होगा कि बहुत सी जमाअतें और फ़िर्कें ऐसे हैं कि जिनका पेशा बदमाशी का नहीं है, चोरी का नहीं है, आवारगी का नहीं है, लेकिन वे भी जरायम पेशा में शामिल कर दिये गये हैं और उनकी निगरानी होती है और उनको Settlement में रहना पड़ता है। जिन लोगों को निगरानी में रहना पड़ता है और जिस तरीके से उन की निगरानी होती है और इससे जैसी दुर्गति उनकी होती है उसका हाल पंडित रहस बिहारी तिवारी प्रस्तावक महाशय ने अपनी स्पीच में बयान कर दिया है। मुझे भी इस मामले में थोड़ा सा तज़ुर्बा है। उसके मुताबिक बहुत थोड़े शब्दों में मैं एक मिसाल आपके सामने पेश करूंगा। एक नौजवान लड़का घाटमपुर का अपनी जगह से दूसरे गांव में चला गया। सिर्फ़ दूसरी जगह जाने के इलज़ाम में उसको तीन महीने की सज़ा हो गई। इसके बाद जब वह जेलख़ाने से छूटा तो आप यह सुन कर के ताज़्ज़ुब करेंगे कि मामूली तौर से मामूली आदमियों को जब वह जेलख़ाने से रिहा होते हैं राह का खर्च दिया जाता है लेकिन कानपुर से घाटमपुर तक पहुंचने के लिये उसे कुछ नहीं दिया गया। वह वैसे ही छोड़ दिया गया। उसकी ज़िम्मेदारी यह थी की वह जा कर के किसी थाने पर, पुलिस स्टेशन पर अपनी हाज़िरी नोट करावे और यह बतलावे कि मैं फलां जगह पर रहूंगा। उसके रिश्तेदार बहुत परेशान थे और वे मेरे पास आए और इस लड़के को मैंने अपने पास रख लिया। मैंने कानपुर के सुपरिन्टेन्डेंट पुलिस को यह इत्तिला दी कि फलां लड़का घाटमपुर का मेरे पास है और वह 3 महीने की क़ैद काट कर के आया है और उसको मैंने अपने पास रख लिया है। इस के ऊपर मालूम नहीं सुपरिन्टेन्डेंट पुलिस ने क्या कार्रवाई की, लेकिन तीसरे या चौथे ही रोज़ एक सब-इन्स्पेक्टर साहब एक परवाना लेकर पहुंचे और उन्होंने उस लड़के को गिरफ़्तार कर लिया। इस के ऊपर यह इलज़ाम था कि उसने क़ैद ख़ाने से छूटने के बाद किसी पुलिस स्टेशन में इत्तिला नहीं दी। इस के लिये उसके ऊपर मुक़दमा चला। इस पर मैं कानपुर के मजिस्ट्रेट से मिला और बात चौत करने के बाद उन्होंने कहा कि हां, उस लड़के

पर मुक़दमा चलेगा और वह क़रीब २ एक बरस के लिये जेल जायगा । आप ग़ौर कीजिये कि यह एक ऐसी बात है जो किसी भी सभ्य देश में न होती होगी । एक लड़का एक गांव से दूसरे गांव में जाता है । वह पकड़ लिया जाता है । तीन महीने को सज़ा होता है । सज़ा के बाद जब वह घर पर आता है तो फिर पकड़ा जाता है—इस लिये कि उसने पुलिस स्टेशन पर इत्तिला नहीं की उस पर फिर मुक़दमा चलाने की तैयारी होती है । डिमिक् मैजिस्ट्रेट कहते हैं कि इसको एक बरस की सज़ा मिलेगी । मैं कौन्सिल के मेम्बरों से पृच्छता हूँ कि वे अपने हृदय पर हाथ रख कर इस बात पर ग़ौर करें कि कोई भी आदमी, हमारे होम मेम्बर साहिब या कोई बड़े से बड़ा आदमी, अगर ऐसी हालत में रक्खा जावे तो वह भला आदमी हो सका है या नहीं, मैंने कानपुर के मैजिस्ट्रेट साहिब से कहा कि मेहरवानी कर के इस लड़के की नौजवानी पर रहम कीजिये और जिस तरह कहिये मैं उसको ज़िम्मेदारी लेने के लिए तैयार हूँ । मेरो सिफ़ारिश पर उन्होंने बहुत सा अहसान जताते हुए उस लड़के को मेरे सुपुर्द किया । मैं ज़मानत कर के उसे ले आया और इस तरह से उस के ऊपर से मुक़दमा उठा लिया गया ।

मैं आप से अर्ज़ करता हूँ कि इन लोगों को ऐसी हालत में रहना पड़ता है । एक मास्टर साहिब हैं ज़रायम पेशा जाति के जो एक गांव के हैं । वे मेरे पास आते हैं । कहा करते हैं कि जनाव, बावजूद इस के कि मेरो निगरानी नहीं है, मैं दर्ज़ रजिस्टर नहीं हूँ, लेकिन फिर भी मेरे पीछे पुलिस लगी रहती है । लड़कों का पढ़ा रहा हूँ कि बुला लिया जाता हूँ । जब गया तो टस पांच गालियां मां बहिन की दी जाती हैं । जब दो चार रुपये दे देता हूँ तब पिंड छूटता है । ये दो मिसालें आप के सामने पेश हैं । अगर आप जा कर ज़रायम पेशा के आदमियों से मिलें तो एसौ सैकड़ों हज़ारों मिसालें मिलेंगी मैंने तो कंजड़ों को देखा है । अच्छे खासे हाथ पैर चेहरे मोहरे के हैं लेकिन बग़ैर इत्तिला के कहीं नहीं जा सकते उन के ऊपर हर वक्त खंज़र और तलवार लटकती रहती है । हर वक्त वे तहज़ीब से कोसों दूर रहते हैं, और उनको मजबूर किया जाता है कि चार और ढाकू बने रहें । इस लिये उनमें ज़रायम करने वाले आदमियों की इफ़रात मिलेगी । नहीं तो, जहां ब्रह्म लिनको न अमरीका में सुन्नर बाड़े में पैदा हो कर के अमरीका का बड़ा से बड़ा आदमी—अमरीका का प्रेसीडेन्ट और संसार का महापुरुष हो जाय वहां मैं यह भी कह सकता हूँ कि ज़रायम पेशा आदमियों में से भी ऐसे ब्रह्म निकल पैदा हो सकते हैं अगर आप चाहें और आपका शासन चाहे । दुनियां में इस वक्त बादशाह का बेटा यह नहीं कह सकता कि मैं बादशाह ही रहूंगा । इसी तरह ग़रोब का लड़का भी ज़लोल हो नहीं रह सकता लेकिन आपका ढंग माले की नाक से ५० हज़ार आदमियों को गुलाम बनाए हुए है, चार बनाए हुए हैं, ढाकू बनाए हुए हैं और उन से सदा पुकार पुकार कर कहता है कि तुम चार ही बने रहोगे । आपके शासन की यह हालत है । मेरा तो यह ख़याल है कि ज़्यादातर आदमी ऐसे हैं जिनको महज़ आपकी हुकूमत की वजह

[Babu Ganesh Shankar Vidyarthi.]

से नीचे से नीचे तकके में रहना पड़ता है। उसमें उनका कसूर नहीं है, आपका कसूर है। मैं आप से पूछता हूं कि बहुत से जरायम पेशा जाति के लोग ऐसे हैं जिनके मुताहिक आपकी रिपोर्ट में यह लिखा है कि उनका पेशा खेतों है, उनका पेशा मजदूरी है, फिर उनको आपने क्यों जरायम पेशा में लिख रक्खा है? अगर मान लीजिये कि जरायम पेशा लोगों की गवर्नमेंट हो और वे प्रेसीडेंट साहब होम मेम्बर साहिब और फ़ाइनैन्स मेम्बर साहिब को जरायम पेशा कह दे तो बतलाइये कि उनके ऐसा कहने में कौन सी बात रोकने वाली होगी। आपके पास कोई दलील नहीं है कि सदा के लिए आप उनको जरायम पेशा बनाये रखें। यह सब से बड़ा कलङ्क आपके शासन पर है। आप कहते हैं कि भांतुओं के ढाई सौ आदमी बड़ी खुशी से अंडमान चले गये। बतलाइये तो खुशी का क्या सबब है? खुशी का क्या प्रमाण है? क्या सिर्फ़ यह आप कह दें और हम मान लें? मेरी समझ में यह बात नहीं आती कि आदमियों का कोई भी तबका ज़वरदस्ती अपने घर से उठा कर दूसरे मुल्क में, जो एक वीरान मुल्क है और जहाँ की आबोहवा अच्छी नहीं है, भेज दिया जाये और वहाँ पहुंच कर वह खुश हो और आपको खुशी में धन्यवाद दे। मैं तो समझता हूं कि यह सब बनी हुई बातें हैं। अगर आप समझते हैं कि यह ठीक है तो हम में से कोई वहाँ भेजा जाय कि वहाँ जा कर वह उनको खुशी और ना खुशी देखें कि वह किस दर्जे की है। अगर मालूम हो कि वह बड़ी खुशी को जगह है तो मैं भी सब साहिबान को दावत दूंगा कि आप सब लोग भी वहाँ चलिये, कई जातियां ऐसी हैं जैसे पासी, जो बहुत अच्छा काम कर रही हैं। आप की रिपोर्ट में इस बात का जिक्र है। मैं पूछता हूं कि आपने उनके अच्छे काम का क्या इनाम दिया? अच्छा काम है, वस, सिर्फ़ यह कह कर आप रह गये! लेकिन 'जरायम पेशा' होने का जो कलङ्क है वह उनके ऊपर बैसाही बना रहा! अगर आप जरायम पेशा का कलङ्क उन पर से उठा लेते, उनके माथे पर से इस कलङ्क के टीके को मिटा देते, उनको भले आदमी बन जाने देते तो हम समझते कि आपने कुछ काम किया, उन्हें कुछ इनाम दिया। आप कहते तो हैं कि वे अच्छा काम करते हैं। लेकिन आप उनके लिये कुछ नहीं करते मैं कहूंगा कि आप का यह कहना महज़ ढको-सले बाज़ी है।

सेलवेशन आरमी ने बहुत काम किया है। उन लोगों को उन्होंने जानवर से इन्सान बनाया, और साथ ही आपकी ज़ियादतियों से भी उन्हें बचाया। आपकी ज़ियादती से तो ये लोग जेल में छुटे २ ही मर जाते। दो ढाई हजार आदमी जो जेल से बचे हुए हैं। इस पर सेलवेशन आरमी को हजार २ धन्यवाद। हम में जो लोग उत्साही हैं, वे कहते हैं कि सेलवेशन आरमी वाले उनको ईसाई बना लेंगे, उनको चाटो कटवा देंगे, उनके देवी देवता छुड़वा देंगे, किन्तु वे उन्हें ख़ुल्लम और ज़्यादतियों से तो बचायेंगे। अगर आप उन सब को संभाल सकते तो अच्छी बात है। अगर आप संभाल नहीं सकते तो ऐसे अच्छे काम को कि जो किया

जा रहा है, हालां कि वह १६ आने में एक आने के बराबर है, होने दोजिये ! जब आपका संधान अच्छा हो जाय, और वह इतना बढ़ जाय कि आप पचास हजार आदमियों को संभाल सकें तो बहुतो आइये, और सब काम संभालिये, लेकिन इसके पहिले अगर कुछ काम होता है और Salvation Army के उद्योग से होता है तो होने दोजिये । अगर वे ईसाई भी हो जायें तो इससे बेहतर होगा कि वे पुलिस के डंडे खाते फिरें और उनको ज़िन्दगी जेलों में जाकर व्यतीत हो ।

Depressed classes के मुताबिक जो बाबू रामचरण साहिव का कहना है उसका मतलब रिजॉल्यूशन में खुद आप से आप आ जाता है । Depressed classes के लोग हिन्दुओं से अलग नहीं हैं और अगर हिन्दुओं के सुपुर्द कोई जमाअत को जायगी तो depressed classes के लोगों को आप से आप काम करने का मौका मिल सकेगा । अगर किसी खास वजह से यह बात प्रस्ताव में नहीं आती तो सब साहिवान इस पर विचार कर लें ॥

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not wish to cover the whole ground that was traversed by the honourable mover. As the Council is aware, the policy of the Government has consistently been the same for some time past in respect of this resolution. When this point was raised during the last budget debate, I gave the assurance to the House that if any organization came forward with concrete proposals, they would be sympathetically considered. Since then we have received two applications, one from the Dilatuddhar Sabha of Delhi and another from the Arya Samajist organization of Lucknow. The reply that we gave to the Arya Samajist organization has already been read by the honourable mover of the resolution. On exactly the same lines, as far as I remember, was our reply to the Dilatuddhar Sabha of Delhi. In reply, they have said that they would come forward with concrete proposals and that they are negotiating with the Deputy Inspector-General, Criminal Investigation Department, in the matter. I hope concrete proposals will soon be forthcoming. In the circumstances I do not at all agree with the honourable mover, when he said that Government gave a *kora jawab*. We never gave a *kora jawab*. We have always said that if any organization is ready to bring forward concrete proposals, we would give them our most sympathetic consideration. The Delhi organization, I am sure, are getting ready to put forward concrete proposals regarding the establishment of new settlements in these provinces.

I now turn to the existing settlements. As stated previously, it is not possible for us to take the criminal tribes away from the hands of the Salvation Army. (A voice—Why?) The reasons are obvious. Firstly, their work has been excellent, and, in support of this statement, I can do no better than quote from the speech delivered in 1917 by the honourable member for Partabgarh. He said:—"I am full of admiration for the excellent work the Salvation Army has been doing in the way of the reformation of the criminal tribes. Any one who is acquainted, even to the slightest extent, with the wonderful power of organization which the Salvation Army possesses and with a singular devotion with which its soldiers are applying themselves to the work, will share my admiration." This is the testimony of my friend, the honourable member for Partabgarh.

[The Hon'ble Nawab Muhammad Ahmad Sa'id Khan.]

During the same debate Saiyid Raza Ali was pleased to refer to the work of the Salvation Army as splendid and one of great importance. Again, in 1921, when we had the pleasure of having you, Sir, on the floor of this House, you were pleased to mention in appreciative terms about the work of the Salvation Army. I personally recognize the excellent work, the humanizing work, which the Salvation Army has been doing in the way of the reformation of criminal tribes. The quotations that I have read are sufficient to assure the honourable members of this House that the Salvation Army are doing really good work. I am quite at one with my friend, the honourable member for Cawnpore, when he remarked that if the Salvation Army were doing good work, they might as well continue it. There is no denying the fact that a lot of work has to be done. Out of 50,000 men, as was stated by the honourable mover, I am not sure whether there are 50,000 or more or less, if there are 3,400 men in these settlements, including the Government settlements, then it is a very small number. There is an enormous material outside to work with, and I see no reason why these settlements should be taken away from the hands of the Salvation Army. Therefore I am of opinion that it will be very ungrateful and ungracious on the part of the Government to take away these people from the hands of the Salvation Army. I have just quoted the testimony of so many public men about the work which the Salvation Army has done. There can be no doubt, therefore, that they can rightly complain that they were not treated well if we now take away these people from them. There was another point that was raised by my friend the honourable member for Meerut. The long and short of his speech was that forced conversion is going on in the criminal tribes settlements; that these people are being forced to accept Christianity. I beg to submit that this impression is entirely wrong. Here are the figures that I submit to the House and they can draw their own inference. There are, as we are aware, 3,400 and odd men in these settlements. They have been there for nearly 20 years. How many of them have become Christians. It was just said that they have been forced to accept Christianity. How many of them have accepted Christianity? So far, only 222, including children. Some of those people who were converted had families, and so even children are included in this number. Only 222 of them, including children, were converted during the last nearly 20 years. I think this shows very clearly that no attempt was made towards conversion, much less any forced conversion. And this shows very clearly that not only no attempt was made, but I think the Salvation Army made it a principle that the people should not be converted, otherwise I cannot imagine how they achieved such a poor result. I think the honourable members will agree with me that the conception of religion of the ignorant people cannot be so vivid as that of the educated people. I do not say that they have no conception of religion. I do not mean to say they have no religion. But what I mean to say is that whatever religion it may be, it may be Hinduism, Muhammadanism or Christianity, the principles of religion are such that require some education to know what it is. There are many people who claim to belong to one religion or other, but there are few who know the real religion. I think that during the last 20 years if the Salvation Army had persuaded these people, nearly all of them would have been converted to Christianity by now. But the figure of 222 shows very clearly that no effort was never made by them. There was one other point raised

by my friend from Cawnpore—that some of the members of criminal tribes are recorded as cultivators; they are following the profession of cultivation and so why should you call them criminals. I hope that the time will come when we will be able to declare that they are not now criminal tribes. But the argument that was put forward by him holds no water. Suppose we call a man a liar, does it follow that he should always speak lies and then he would be called a liar? I am sure that the majority of what a liar says is the truth, but as he sometimes speaks a lie, therefore we call him a liar. Similarly with these people; they follow the profession of cultivation, but as sometimes they commit crimes they are called criminals.

There is only one point that I would like to raise at the end and I have done, but before I proceed to that point, I would like to explain my position lest I am misunderstood by some of the honourable members here and those who speak after me may come down on me with thunder and storm. There is nothing farther from my mind than to deliver a sermon to this House. I am not so vain as to think even for a moment that the honourable members of this House are in need of any sermon from anybody much less from my humble self; but at the same time if I feel that my countrymen are making a mistake, if I feel according to my light that they are doing something wrong I think it is my duty to express my opinion. Sometimes unimportant questions, or outwardly unimportant questions I should say, have a great effect outside the Council; their reverberation goes far and wide. In my opinion it will be a mistake if we decide today to take away every settlement from the Salvation Army and kick them out. In my opinion such a decision on the part of this Council will be a mistake politically. After all we should first realize that in the commonwealth of India there are bound to be Christians and they shall help to build up the nation; you cannot ignore them. I think that instead of taking a narrow view of the whole thing, it would be better if we take a broader view and imagined at this stage that if we decide today to take these settlements away from the hands of the Salvation Army what will be the effect of it outside the Council. After all our proceedings are watched by everybody. We are the mouthpiece of the people of the province and I will respectfully, yet with all the earnestness at my command, beg the honourable members of this House not to take a decision which may give others a chance to say that sometimes sentiment, which is not always based on facts, gets the better of us.

The Hon'ble the President: I should have liked to have finished the resolution today, but if there is a general desire to continue the debate it will have to be continued tomorrow. In this matter I am in the hands of honourable members.

Babu Bhagwati Sahai Bedar: I would like to speak for a couple of minutes. (*Voices of "No debate."*)

Babu Bhagwati Sahai Bedar: I wish to put only one question to the Hon'ble the Home Member. The question is whether these settlements are going to be handed over to such Hindu organisations as want them or not? It has been said just now by Khan Bahadur Maulvi Fasih-ud-din that we should take a broader view of the matter and should not confine its scope to religion. But I wish to say that the only thing which comes in the way of these settlements is religion, and, had they not been in charge of a religious institution, there could have been no objection. These settlements

[Babu Bhagwati Sahai Bedar.]

are under the charge of the Salvation Army which declares :—" Have faith in Christ and you will have salvation." Similarly, the Muhammadans say that no sooner a man becomes a Muhammadan he goes direct to heaven. Again, it is said somewhere in the Quran, that those who do not . . .

The Hon'ble the President: We are not here for a theological discussion.

Babu Bhagwati Sahai Bedar: My point is that it is the religious instinct of Hindus that made them present this demand. The majority of these criminal settlers are Hindus, but the Salvation Army keeps them in their charge. What justification has the Salvation Army to keep them? If Christians can boast of their religion the Hindus, too, can equally boast of theirs, and there is no reason why Hindus should not be given the charge of Hindu criminal settlers. This was the only point I wanted to clarify.

Hafiz Muhammad Ibrahim: I move for the closure of the debate.

Question, that the question be now put, put and agreed to.

Pandit Rahas Bihari Tiwari :

श्रीमान् प्रेसीडेंट साहिब,

मुझे कुछ अधिक कहना नहीं है। मैं केवल २-३ बातें कह कर बैठ जाऊंगा। वह यह है कि होम मेम्बर साहब ने उस बात का कोई जवाब नहीं दिया जो कि मेरे दोस्त खान बहादुर मौलवी फसीउद्दीन ने कही थीं यानी गवर्नमेंट एक ऐसा Circular सालवेशन आरमी के पास भेज दें कि आइन्दा वह किसी को ईसाई न बनावें। इसका उत्तर होम मेम्बर साहिब ने नहीं दिया। होम मेम्बर साहिब ने जो कहा कि २० वर्ष में ३४०० आदमियों में से सिर्फ २२२ आदमी ईसाई बनाए गये हैं और Salvation Army का काम अच्छा है तो इसके बारे में तो अपनी स्पीच में साफ तौर से Salvation Army ने जो कुछ काम criminal tribes के सुधार में किया है उस की प्रशंसा और तारीफ मैंने खुले शब्दों में कर दी है और इस बात की केवल मैंने ही नहीं बल्कि जितने भी लोग इस विषय पर बोले हैं उन्होंने मुक्त कंठ से इसकी तारीफ की है। आपने अपनी स्पीच में यह कहा था और मिस्टर चिन्तामणि ने भी इसी प्रकार इनके काम की तारीफ की थी लेकिन इस बात का क्या जवाब है और क्या अधिकार या इख्तियार इन लोगों को है कि उनको ईसाई बना लें। मेरा objection यह है कि अगर ये Settlements ईसाइयों के हाथ में है और वह अच्छा काम कर रहे हैं तो Salvation Army या गवर्नमेंट को कोई अधिकार नहीं है कि उनको ईसाई बनाया जावे। इसका उत्तर उन्होंने नहीं दिया। क्या उन्होंने खान बहादुर मौलवी फसीउद्दीन साहिब के suggestion को मंजूर कर लिया है कि कोई भी आदमी जो इस Settlement में रहे वह ईसाई न बनाया जा सके। एक प्रार्थना मैं होम मेम्बर साहिब से यह करता हूं कि पिछली भरतबा मार्च के महीने में जब criminal के बारे में इस house में बहस हो रही थी तो कुछ लोगों ने चाहा था कि हम को Salvation Army और दूसरे Settlements को देखने की इजाजत दी जावे उस पर Inspector-General साहिब ने कहा था कि इस पर उन्हें कोई आपत्ति

नहीं होगा और इस पर Salvation Army के लोगों का भी आपत्ति नहीं होनी चाहिये। और उन्होंने कहा था कि वह इन्तिजाम कर देंगे कि कल्याणपुर के Settlement को जो कि Government Settlement है कॉमिल के मध्य देख सकेंगे और Salvation Army के Settlement का भी इसी तरह इन्तिजाम देखने के लिये हो जायगा। हम लोगों ने इसकी कोशिश की और Settlement देखने के लिये पंडित वेङ्कटेश्वरनारायण तिवारी ने, जो किसी पोलिटिकल बात में भाग नहीं लेते और Servants of India Society और सेवासमिति के सदस्य हैं, उन्होंने कल्याणपुर Settlement देखने के लिये जो कि Government Settlement है, इजाजत चाही थी लेकिन इसको देखने के लिये आज्ञा नहीं दी गई। यह ऐसी बातें हैं जिनको साफ तौर से Home Member साहब को कहना चाहिये था। मैं अन्त में यह प्रार्थना कहूंगा कि सब लोग चाहते हैं कि criminals जरायम पेशा के लोग उठाये जायें और अच्छी हालत में रखे जायें। यद्यपि मैं आर्य समाजी हूँ और अपने धर्म पर पक्का हूँ लेकिन मैं समझता हूँ कि जैसा विद्यार्थी जो ने कहा था कि यदि कोई भो हो ईसाई या मुसलमान जो गिरे हुएों को उठाता है वह हमारे धन्यवाद का पात्र है। लेकिन साथ ही साथ मैं यह भी कहूंगा कि जब उसी सम्प्रदाय और धर्म के लोग उनको लेने के लिये तय्यार हैं तो कोई कारण प्रतीत नहीं होता है कि गवर्नमेंट उनको इजाजत न दे। वस इन्हों शब्दों के साथ मैं आप लोगों से प्रार्थना कहूंगा कि आप इस प्रस्ताव को सर्व सम्मति से पास करें ॥

The motion, that the following be added at the end of the resolution, was put and adopted :—

" Provided that, if the tribes belong to the Hindu faith, option should be given to depressed class organizations to take up the work."

The resolution, as so amended, was put and adopted.

The Hon'ble the President then adjourned the Council to the following day.

APPENDIX A.

(See page 369 supra.)

Statement referred to in the answer to starred question No. 2 for November 2, 1927.

* (i) Eleven sub-inspectors, nineteen head constables, twenty-six naiks and two hundred and eighty-five constables.

(ii) (a) Four sub-inspectors, four head constables, one naik and ninety-seven constables.

(b) Seven sub-inspectors, fifteen head constables, eighteen naiks and one hundred and eighty-eight constables.

(iii)	<i>Under Hindu station officers.</i>	<i>Under Muslim station officers.</i>
(a)	One	Three.
(b)	Six	Thirteen.
(iv)	<i>Hindu.</i>	<i>Muslim.</i>
(a)	Fifty-one	Forty-nine.
(b)	Seventy-three	Twenty-seven.

APPENDIX B.

(See page 370 *supra*.)

Statement referred to in the answer to starred Council question No. 6 for November 2, 1927.

Year.	Income.	Expendi- ture.	Remarks.
	Rs. a. p.	Rs. a. p.	
1920-21	7,887 6 9	4,978 15 10	
1921-22	5,896 7 7	5,569 13 1	During this year the notified area was amalgamated with the city board of Mussoorie (vide notification no. 1528 XI-100, dated August 27, 1921)
1922-23	..	..	No figures available owing to the amalgamation of Rajpur accounts with those of the city board, Mussoorie.
1923-24	4,978 0 0	5,162 0 0	This expenditure was incurred by the city board of Mussoorie. Under notification no. 786 XI-100, dated April 21, 1924, the notified area was reconstituted with effect from May 1, 1924, a sum of Rs. 414-14 standing to the credit of the notified area being transferred to it along with numerous outstanding bills.
1924-25	8,451 15 5	6,825 6 1	These receipts include a sum of Rs. 2,787 extracted from the city board of Mussoorie after a good deal of correspondence conducted through the Commissioner and representing the old reserve fund of the notified area.
1925-26	13,356 0 8	9,653 0 0	The receipts include a Government grant of Rs. 6,200 for sanitary improvements of which Rs. 1,400 were spent during the year.
1926-27	8,226 8 0	9,358 11 3	The receipts include a Government grant of Rs. 1,000 for sanitary purposes, and the expenditure Rs. 8,029-4-0 spent from the grant for the previous year referred to above.

APPENDIX C.

(See page 372 *supra*.)

Statement referred to in the answer to starred question No. 10(a) for November 2, 1927.

SUPERVISOR QANUNGOS.

First grade. Second grade. Third grade. Total.

	Rs. 80	Rs. 70	Rs. 60	
In plains ...	69	318	314	701
In Kumaun	2	6	8	16

Besides, 46 supervisors in the first grade of Rs. 80 are working as head-quarters qanungos.

APPENDIX D.

(See page 377 *supra*.)*Statement referred to in the answer to starred questions Nos. 24, 25 and 28 of November 2, 1927.*

Year.	Amount of Government grant paid to the District Board, Lucknow, for the education of depressed classes.	Expenditure by the District Board, Lucknow, on the education of depressed classes.	Total number of primary and preparatory schools (aided and maintained) for boys under the District Board, Lucknow.	Number of depressed class schools for boys under the District Board, Lucknow.	Total enrolment in depressed class schools under the District Board, Lucknow.	The number of boys of depressed classes included in column 6.*	Remarks.
1	2	3		5	6	7	8
1920-21	Rs. Nil	Not available	218	7	232	141	<p>* There is no paucity of depressed class students in these schools.</p> <p>† Since 1924-25 grants are given to district boards for vernacular education as a whole and the boards are required to provide a minimum expenditure prescribed by Government for various heads of vernacular education. These figures represent the minimum prescribed for depressed class education.</p>
1921-22	8,210	8,210	288	20	661	452	
1922-23	8,317	8,326	244	24	789	418	
1923-24	8,430	8,599	246	25	837	443	
1924-25	8,500†	4,738	246	17	596	384	
1925-26	8,520†	8,733	261	18	563	326	
1926-27	8,520†	8,740	271	17	593	344	

APPENDIX E.

(See page 878 *supra*)

Statement referred to in the answer to starred question No. 43 for October 29, 1927.

Statement showing district boards which incurred the expenditure on scholarships to boys of the depressed classes during the year 1925-26.

District.						Amount spent
						Rs.
1.	Saharampur	..	..	..	..	57
2.	Meerut	..	..	..	..	423
					Total	480
3.	Agra	..	..	..	..	47
4.	Mainpuri	..	..	..	..	153
					Total	200
5.	Bareilly	..	..	..	..	58
6.	Bijnor	..	..	..	..	140
7.	Moradabad	..	..	..	..	214
8.	Pilibhit	..	..	..	..	220
					Total	632
9.	Farrukhabad	..	..	..	..	319
10.	Etawah	..	..	..	..	351
11.	Cawnpore	..	..	..	..	307
12.	Fatehpur	..	..	..	..	186
13.	Allahabad	..	..	..	..	391
					Total	2,054
14.	Jhansi	..	..	..	..	107
15.	Jalaun	..	..	..	..	48
16.	Hamirpur	..	..	..	..	312
					Total	467
17.	Ghazipur	..	..	..	..	6
18.	Ballia	..	..	..	..	102
					Total	108
19.	Basti	..	..	..	..	360
20.	Azamgarh	..	..	..	..	246
					Total	606
21.	Naini Tal	..	..	..	..	455
22.	Almora	..	..	..	..	304
22.	Garhwal	..	..	..	..	595
					Total	1,354
24.	Unao	..	..	..	..	148
25.	Rae Bareilly	..	..	..	..	43
26.	Sitapur	..	..	..	..	256
27.	Hardoi	..	..	..	..	6
28.	Kheri	..	..	..	..	83
					Total	536
29.	Gonda	..	..	..	..	104
30.	Partabgarh	..	..	..	..	151
31.	Bara Banki	..	..	..	..	50
					Total	305
GRAND TOTAL						7,257

APPENDIX F.

(See page 379 *supra*.)

Statement referred to in the answer to starred question No. 39 for November 2, 1927.

Name of non-official body.	Number of schools maintained.	Number of scholars.			Number of teachers.		
		Depressed class.	Others.	Total.	Depressed class.	Others.	Total.
1	2	3	4	5	6	7	8
Arya Vidya Sabha, Benares.	11	391	27	418	1	10	11
Wesleyan Mission, Benares.	11	181	..	181	2	9	11
Arya Vidya Sabha, Bareilly.	32	668	161	829	7	19	26
A. P. Mission, Saharanpur.	2	60	1	61	..	3	3
W. M. Missionary Society, Ghazipur.	2	22	15	37	..	4	4
Total	58	1,322	204	1,526	10	45	55

APPENDIX G.

(See page 382 *supra*.)

Statement referred to in the answer to starred question No. 51(b) for November 2, 1927.

Names of schools for depressed classes under the Bahraich District Board.						Total number of scholars in these schools on March 31, 1927.	Number of scholars belonging to depressed classes.
1.	Jhala	..	..	..	..	30	20
2.	Bageshwar Nath	..	..	..	..	28	13
3.	Gadamar	..	..	..	..	28	17
4.	Bibiapara	..	..	..	..	30	13
5.	Hajipur	..	..	..	..	33	13
6.	Basauna	..	..	..	..	30	11
7.	Muharnia	..	..	..	..	34	15
8.	Ulmapur	..	..	..	..	33	12
9.	Shahpur Bara	..	..	..	..	25	10
10.	Balanagar Pakri	..	..	..	..	26	14
11.	Ghankharia	..	..	..	..	35	18

APPENDIX H.

(See page 380 *supra*.)

*Statement referred to in the answer to starred question No. 89
for November 2, 1927.*

Year.	Number of dacoities.		Chalans.		Remarks.
	Armed.	Unarmed.	Cases.	Persons.	
1924	9	7	41	Two cases pending investigation.
1925	7	8	11	62	
1926 .. ..	..	10	7	42
1927	2	10	7	95	

APPENDIX I.

(See page 383 *supra*.)

*Statement referred to in answer to starred question No. 96-A,
for November 2, 1927.*

Serial number.	Name of prisoner.					Age.
1	Ram Prasad Bismil	..	..	..	..	29
2	Pranvesh Kumar Chatterji	..	..	..	..	21
3	Ram Nath Pandey	..	..	..	..	20
4	Mukandi Lal	..	..	..	..	36
5	Raj Kumar Sinha	..	..	..	..	21
6	Govind Charan Kar	..	..	..	..	27
7	Jogesh Chandra Chatterji	..	..	..	..	30
8	Ram Dularey Trivedi	..	..	..	..	23
9	Manmath Nath Gupta	..	..	..	..	19
10	Vishnu Saran Dublis	..	..	..	..	27
11	Banwari Lal	..	..	..	..	25
12	Sachindra Nath Sanyal	..	..	..	..	32
13	Bhupendra Sanyal	..	..	..	..	21
14	Roshan Singh	..	..	..	..	36
15	Ram Kishan Khattri	..	..	..	..	22
16	Suresh Chandra Bhattacharya	..	..	..	..	21
17	Rajendra Nath Lahiri	..	..	..	..	23
18	Prém Kishan Khanna	..	..	..	..	27
19	Sachindra Nath Bakshi	..	..	..	..	26
20	Ashfaq Ullah Khan	..	..	..	..	23

APPENDIX J.

(See page 401 *supra*.)

Statement referred to in the answer to starred question No. 106 for November 2, 1927, showing the action taken on cuts made by the Council in the supplementary estimates presented in June, 1927.

Grant number.	Head.	Amount.	Reasons.	Action taken.
1	22—General Administration.	Rs. 163	Addition to contract grant of Commissioner, Agra, reduced. Protest against certification of two lakhs cut in budget.	No action.
		27,000	In respect of pay of establishment (extra armed police).	
4	26—Police ..	6,000	Under Allowance and honoraria (enlistment charges) for extra armed police.	Entertainment of only three-fourths of the extra armed police force has been sanctioned.
		12,000	Under supplies and services for extra armed police.	
		45,000		
1	Jails ..	13,500	Omission of provision under works.	The works are not being undertaken.
2	Administration of Justice.	100	Token cut under High Court and Chief Court as a protest against insufficient pay of High Court staff.	
		1 (token).	Protest against Tarai and Bhabar estate medical staff not being under the district board. Cut made under the total of Rs. 23,643 against management of Government estates.	Under consideration.
25	5—Land Revenue.	13,000	Omission of the provision under Survey and settlement—Supplies and services.	
		13,001		
		700	Reduction under D—Government professional colleges—(b) Training colleges—Pay of officers.	Accepted.
32	31—Education.	6,040	Omission of the provision under Works—(b) Civil Engineering college.	
		6,740		
		52,000	Reduction under J—Experimental farms—(3) Contingencies in respect to the provision for the Jhansi farm.	The establishment of the farm has been postponed for the present.
2	Agriculture and Veterinary departments.	100 (token).	Cut under the sub-head P—Works—Experimental farms with a view to not spending Rs. 5,000 provided for Jhansi farm.	
		52,100		

APPENDIX J—(continued).

Grant number.	Head.	Amount.	Reasons.	Action taken.
		Rs.		
		(i)10,000 (ii)15,000	Reductions under the sub-head C—works: the former sum of Rs. 10,000 under Direction in respect of the lump provision; and the latter in respect to the provision for the Fyzabad school under technical institutions.	Accepted.
5	Industries departments.	1	Token cut under sub-head (b) Technical and industrial institutions—(2) Pay of establishment, to draw attention to the need for aid to an Arya Samaj school at Lucknow.	Government have decided not to open a Government tailoring school at Lucknow, and are considering the request of the local Arya Samaj for a grant to the tailoring class.
		100	Token cut under B—Industrial education—(6) Lump sum at the disposal of the Board of Industries, to draw attention to need for placing more money at the Board's disposal.	Under consideration.
		10	Token cut under total of B—(b) Industrial and technical institutions, to draw attention to need for opening still more schools.	Additional schools have been opened from year to year.
		25,111		

APPENDIX K.

(See page 401 *supra*.)

Statement referred to in the answer to starred question No. 107 for November 2, 1927.

Serial number.	Name of department concerned.	Date on which passed.	Subject.	Action taken or proposed to be taken.
1	Local Self-Government.	June 27, 1927	Taking over of roads from the district boards by Government.	No action has yet been possible as replies from several district boards are awaited.
2	Police ..	Ditto ..	Entries in the police register concerning the character of persons belonging to non-criminal tribes.	No action has been taken.
3	Education	June 28, 1927	Scheme in connexion with the U. P. District Boards Primary Education Act, 1926.	The resolution of the Council has been considered in taking action on the points raised by Mr. Harrop's report.
4	Agriculture	Ditto ..	Encouragement of Agricultural farming.	The extent to which Government have been able to meet the wishes of the Council will be stated in the annual report of the Agricultural department for 1927-28.
5	Education	June 29, 1927	Correspondence between the local Government and the Government of India on the subject of Rai Bahadur Abhay Charan Mukerji's promotion to and subsequent removal from a selection grade in the I. E. S.	A copy of the Council proceedings relating to the resolution was forwarded to the Government of India.
6	Legislative	Ditto ..	Number of days to be allotted to Council sessions.	No action has been taken.
7	Medical ..	Ditto ..	Maintenance and improvement of district hospitals.	The cost of improvements is being ascertained.
8	Local Self-Government.	Ditto ..	Appointment of a committee to advise steps for the better administration of Muslim public and charitable <i>wagfs</i> .	The proposed committee is to be appointed shortly.
9	Appoi n t - ment.	Ditto ..	Increase in the number of Indian secretaries, deputy secretaries and under secretaries to Government.	No action has been taken.

APPENDIX K—(continued).

Serial number.	Name of department concerned.	Date on which passed.	Subject.	Action taken or proposed to be taken.
10	Education	June 26, 1927	Establishment of a picture gallery of Indian paintings at Lucknow, expansion of the Lucknow museum and founding of a chair of Indian paintings, etc., at the Lucknow University.	A project for a Music college and picture gallery is under preparation; the question of expansion of the Lucknow museum is under consideration and the Lucknow University has been informed of the Council resolution in favour of a chair of Indian paintings, etc.
11	Revenue (A).	June 30, 1927	Award of compensation in land acquisition cases	The Government are in correspondence with the local officers in the matter.

APPENDIX L.

(See page 414 supra.)

Particulars of the protected monuments in the Benares district referred to in the answer to starred question No. 190 asked by BABU SAMPURNANAND SAHIB on November 2, 1927.

MUHAMMADAN AND BRITISH MONUMENTS.

Central.

1. The ancient tomb of Lal Khan at Rajghat, Benares, with an area of 1.83 acres including Government land measuring .16 acres.
2. Dharara Masjid on the bank of the river in the heart of the city.
3. Battis Khamba at Bakaria Kund.
4. Palang Shahid, Benares city.

Provincial.

1. Lieut.-Col. Pogson's tomb near crossing of Oudh and Rohilkhand Railway (now East Indian Railway) over the Allahabad road.
2. Cemetery at Chaitganj,
3. Graves of European officers at Shivala on the Assighat road.
4. Mutiny monuments in the enclosure in the railway yard near Benares Cantonment railway station.
5. Tablet on the Treasury building at Benares.
6. Closed cemetery at Rajghat.
7. Two graves at old Artillery Lines at Benares.
8. Closed cemetery at Secrole.
9. Closed cemetery at Benares.
10. Victoria memorial at Benares.
11. Closed cemetery at Rohania.

APPENDIX—(continued).

Particulars of the protected monuments in the Benares district referred to in the answer to starred question No. 190, asked by BABU SAMPURNANAND SAHIB on November 2, 1927.

HINDU AND BUDDHIST MONUMENTS.

Central.

1. An ancient mound on the Benares-Ghazipur road five miles from Benares in Mauza Tilmapur.
2. All the ancient monuments on the Buddhist site of Sarnath at Sarnath.
3. Buddhist temple at Bakariya Kund in the Jaitpura division of the Benares city.
4. The observatory of Man Singh at Benares city.
5. Remains of a massive brick fort on the left hand of the Ganges at Chandrauti (Chandravati) old village in pargana Katehar, 14 miles north-east from Benares.
6. The Pahladpur inscribed lat or monolith now standing in the compound of the Queen's College at Benares.
7. The whole of the area to the east of the Buddhist site at Sarnath explored by the Archaeological department, extending up to the limits of the lake named Narokhar.
8. Areas around archaeological sites at Sarnath on which erection of buildings, etc., is proposed to be restricted subject to approval, as to design and material, of the Archaeological department.
9. A very extensive ancient site on the south bank of the Ramganga at Bairaut, a village in pargana Bara of tahsil Chandauli, 16 miles south-east of Benares. It measures about 1,350 feet long by 900 feet broad and consists of a very ancient ruined fort.

Provincial.

1. Telia Nala Buddhist ruins, Benares.
2. A khera or mound which represents the ancient Suklapura at Sakaldiha town.

APPENDIX M.

(See page 421 supra.)

Statement of officers (excluding ministerial officers) of this Government lent to the Government of India, other Provincial Governments and the Governments of Indian States referred to in the answer to starred question No. 234 for November 2, 1927.

Number.	Name of officer.	Service.	To whom lent.		For what purpose.
1	Mr. J. C. Ferguson	I. C. S. ..	Government of India.	of	For employment in Northern India Salt Revenue department.
2	Hon'ble Sir Henry M. Smith, Kt., C.I.E.	I. C. S. ..	Ditto	..	For employment as President, Council of State.
3	Mr. L. W. Reynolds, C.I.E., M.C.	I. C. S. .	Ditto	..	For employment in the Political department.
4	Mr. D. A. Drake-Brockman, C.I.E.	I. C. S. .	Johannes Burkar	..	For employment as Revenue Member.
5	Mr. A. C. McWatters, C.I.E.	I. C. S. ..	Government of India.	of	For employment in the Government of India Secretariat.
6	Mr. H. G. Haig, C.I.E.	I. C. S. ..	Ditto	..	Ditto.
7	Mr. B. S. Kisch, C.I.E.	I. C. S. ..	Ditto	..	For employment as Controller of the Local Clearing office in India established under the treaty of peace order, 1920.
8	Mr. W. T. M. Wright.	I. C. S. ..	Ditto	..	For employment in the Government of India Secretariat.
9	Mr. J. R. T. Booth	I. C. S. ..	Ditto	..	For employment in the department of Posts and Telegraphs.
10	Mr. B. H. Bourdillon, C.I.E.	I. C. S. ..	Ditto	..	For employment in Mesopotamia.
11	Mr. J. N. G. Johnson.	I. C. S. ..	Ditto	..	For employment as Deputy Commissioner, Delhi.
12	Mr. A. B. Reid ..	I. C. S. ..	Ditto	..	For employment in the Government of India Secretariat.
13	Mr. C. H. Gidney..	I. C. S. ..	Ditto	..	For employment in the Political department.
14	Mr. T. A. Stewart	I. C. S. ..	Ditto	..	For employment in the Customs department.
15	Mr. O. P. Skrine ..	I. C. S. ..	Ditto	..	For employment in the Political department.

Number.	Name of officer.	Service.	To whom lent.	For what purpose.
16	Mr. J. G. Acheson	I. C. S. ..	Government of India.	For employment in the Political department.
17	Mr. A. H. Gurney	I. C. S. ..	Ditto ..	For employment in the Audit and Accounts Service.
18	Mr. A. G. Clow ..	I. C. S. ..	Ditto ..	For employment in the Government of India Secretariat.
19	Mr. G. S. Bajpai, C.I.E., O.B.E.	I. C. S. ..	Ditto ..	Ditto.
20	Mr. A. J. Hopkinson	I. C. S. ..	Ditto ..	For employment in the Political department.
21	Mr. L. W. Jardine	I. C. S. ..	Ditto ..	Ditto.
22	Mr. A. D. F. Dundas.	I. C. S. ..	Ditto ..	Ditto.
23	Mr. C. S. Venkatachar.	I. C. S. ..	Ditto ..	Ditto.
24	Mr. W. R. Tennant	I. C. S. ..	Ditto ..	For employment in the Audit and Accounts Service.
25	Thakur Pateshri Prasad Singh.	Deputy Collector.	Bansi State ..	For employment as special manager.
26	Mr. J. P. Nicholson, J.P.	Ditto ..	Honourable the Agent to the Governor General in Central India.	For employment as Cantonment Magistrate.
27	Rai Bahadur Pandit Bishambhar Nath.	Ditto ..	Kotah State ..	For employment as member of the Mahakma Khas of the State.
28	Khan Bahadur Saiyid Muhammad Mustafa.	Ditto ..	Mahmudabad estate.	For employment as Manager.
29	Khan Bahadur Mir Jamil Ahmad.	Ditto ..	Rampur State ..	For employment as Minister.
30	Rao Bahadur Babu Sardar Singh, M.B.E.	Ditto ..	Alwar State ..	Ditto.
31	Munshi Muhammad Amir Ahmad Alvi.	Ditto ..	Honourable the Agent to the Governor General in Central India.	For employment as Cantonment Magistrate.
32	Sardar Balwant Singh.	Ditto ..	Government of India.	For employment in Andamans.
	Mr. N. H. Gordon	Ditto ..	The Resident, Hyderabad State.	For employment as magistrate in the British administered area in the Hyderabad State.

Number.	Name of officer.	Service.	To whom lent.	For what purpose.
34	Rai Bahadur Babu Sukhdeo Bihari Misra.	Sub-Judge ..	Chhatarpur State..	For employment as Dewan.
35	Mr. M. J. O'Driscoll	Superintendent of Police.	Government of India, Railway Board.	For employment in the Watch and Wards department, Great Indian Peninsula Railway.
36	Rai Bahadur Pandit Chakra Dhar Jaiyal.	Ditto ..	Tehri State ..	For employment as Home Member.
37	Major H. A. M. Cones.	Ditto ..	Government of India.	For employment in Iraq.
38	Khan Bahadur Munshi Tasaddug Husain.	Ditto ..	Ditto ..	For employment in the Criminal Investigation Bureau.
39	Captain J. F. C. Conlin.	Assistant Superintendent of Police.	Ditto ..	For employment in Port Blair.
40	Mr. H. J. Thom, M.C.	Ditto ..	Benares State ..	For employment as Superintendent of Police, Benares State.
41	Mr C. E. Sharpe..	Deputy Superintendent of Police.	Government of India, Railway Board.	For employment in the Watch and Wards department, Great Indian Peninsula Railway.
42	Mr. R. J. H. Fitzpatrick.	Ditto ..	Tonk Durbar ..	For employment as Inspector-General of Police of Tonk State.
43	Mr. E. S. Harris ..	Ditto (temporary).	Honourable the Agent to the Governor General in Central India.	For employment as Deputy Superintendent of Police, Mhow Cantonment.
44	Mr. J. P. C. Hearne	Ditto ..	Government of India.	For employment in Port Blair.
45	M. Muhammad Akram Husain.	Inspector of Police.	Bundi State ..	For employment as Inspector-General of Police.
46	M. Nagi Muhammad Khan.	Ditto ..	Datia State ..	Ditto.
47	M. Mubarik Ali Khan.	Ditto ..	Jodhpur State ..	Ditto.
48	Dr. Hari Shankar Dube, L.M.S. (Punjab), Director of Public Health (Lon.).	Provincial Public Health Service.	Chief Commissioner of Delhi.	For employment as Medical Officer of Health, Delhi (he will revert on November 7, 1927).
49	Mr. B. C. Burt ..	Indian Agricultural Service.	Government of India.	For employment as Secretary, Indian Central Cotton Committee.

Number.	Name of officer.	Service.	To whom lent.	For what purpose.
50	Babu Misri Lal Saxena.	Subordinate Agricultural Service.	Indore State ..	For employment as Personal Assistant to Director, Institute of Plant Industry, Indore.
51	Mr. C. G. Trevor..	Indian Forest Service.	Government of India	For employment as Vice-President and Professor of Forestry at the Forest Research Institute and College, Dehra Dun.
52	Mr. R. G. Marriott	Ditto ..	Ditto ..	For employment as timber supply officer.
53	Mr. W. A. Bailey..	Ditto ..	Government of India (Railway Board).	For employment as timber supply officer (to succeed Mr. R. G. Marriott, who proceeds on leave on October 27, 1927).
54	Mr. H. G. Champion	Ditto ..	Government of India	For employment as Assistant Silviculturist, Forest Research Institute and College, Dehra Dun.
55	Mr. W. J. Lambert	Ditto ..	Kashmere State ..	For organization of working plans and research circle.
56	Mr. P. R. Duncan..	Forest Engineering Service.	Government of India	For employment as Instructor in Surveying and Engineering at the Forest Research Institute and College, Dehra Dun.
57	Mr. Muhammad Shah Nawaz Khan.	Provincial Forest Service.	Ditto ..	For employment as Assistant Instructor at the Forest Research Institute and College, Dehra Dun.
58	Pandit Bhawani Dat Pant.	Ditto ..	Ditto ..	For employment as upper grade Assistant, Silvicultural branch, at the Forest Research Institute and College, Dehra Dun.
59	Pandit Indra Narain Sewal.	Ditto ..	Sirmur State ..	For the preparation of working plans.
60	Pandit Suresha Nand Nantiyal.	Ditto ..	Tehri State ..	Ditto.
	Mr. A. M. Rouse, C.I.E.	Indian Service of Engineers (Buildings and Roads).	Delhi Province ..	For employment in connexion with the construction of New Delhi.

Number.	Name of officer.	Service.	To whom lent.	For what purpose.
62	Mr. F. T. Jones ..	Indian Service of Engineers (Buildings and Roads).	Delhi Province ..	For employment in connexion with the construction of New Delhi.
63	Mr. W. Sinclair ..	Ditto ..	Ditto ..	Ditto.
64	Mr. H. E. Parker	Indian Service of Engineers (Public Health department).	Ditto ..	Ditto.
65	Mr. S. E. Platt ..	Indian service of Engineers (Buildings and Roads).	Government of Bihar and Orissa.	For employment as Superintending Engineer, Public Health department.
66	Mr. Chintamani Pant.	United Provinces Engineering Service (Buildings and Roads).	Government of India.	For employment as Executive Engineer, Imperial Works division, Simla.
67	Mr. D. G. Harris, C.I.E.	Indian Service of Engineers (Irrigation Branch).	Ditto ..	Employed as Consulting Engineer, department of Industries and Labour, Public Works Branch.
68	Mr. H. Willocks..	Ditto ..	Ditto ..	For employment as Executive Engineer, Simla Imperial East division.
69	Mr. W. Horst ..	Ditto ..	Nepal Government	For the charge of repairs to certain canal projects and of the construction of all distribution and minor works connected therewith.
70	Mr. Sham Lal ..	United Provinces Engineering Service (Irrigation Branch).	Delhi Province ..	For employment in connexion with the construction of New Delhi.
71	Mr. Sadhu Ram ..	Ditto ..	Benares State ..	For the charge of Irrigation works.
72	Mr. Muhammad Abdullah.	Subordinate Engineering Service (Irrigation Branch).	Rampur State ..	Employed as General Adviser in all Irrigation matters.

Number.	Name of officer.	Service.	To whom lent.	For what purpose.
73	Mr. F. C. Richardson.	Assistant Secretary to Government, United Provinces, Public Works Department, Irrigation Branch.	Delhi Province ..	For employment as Personal Assistant to Chief Engineer.
74	Pandit Kunwar Bahadur Bachaya.	Subordinate Excise Service.	Inspector-General of Railway Police and Police Assistant to the Agent to Governor General in Rajputana.	Employed in the special prevention staff sanctioned by Government of India for suppression of opium smuggling from Rajputana and Central India.
75	Pandit Ajodhya Nath Misra.	Ditto ..		
76	M. Muhammad Ashfaq.	Ditto ..	Jaipur Durbar ..	For employment as Superintendent of Excise and Salt department, Jaipur State.
77	Dr. Nilambar Joshi	United Provinces Medical Service.	Bharatpur State ..	For employment as Chief Medical Officer.
78	Dr. Saiduzzaffar Khan.	Ditto ..	Bhopal State.	
79	Dr. R. K. Tandon..	Ditto ..	Government of India in the Military department.	
80	Dr. Sheo Shankar Gupta.			
81	Dr. Khushi Ram ..			

APPENDIX N.

(See page 422 supra.)

Statement referred to in the answer to unstarred question No. 8.*List showing the names of muharrirs who were superseded at the time of introduction of the scheme.*

- (1) M. Mahmud Ullah.
 - (2) M. Faiz Bukhsh.
 - (3) B. Babu Ram.
 - (4) B. Sheo Shanker.
 - (5) M. Nazir Muhammad.
 - (6) B. Bhagwan Din.
 - (7) B. Jagdamba Prasad.
 - (8) M. Ubbad Husain Razvi.
 - (9) M. Said-ud-din.
-

List showing the names of English writers who were superseded at the time of introduction of the scheme.

- (1) B. Nisar Husain.
 - (2) B. Ugra Narain Singh.
 - (3) B. Vishwa Nath Prasad.
 - (4) B. Balmakund Singh.
 - (5) B. Baleshwar Prasad.
 - (6) B. Thakur Dubey.
 - (7) B. Mahraj Narain.
 - (8) B. Alakh Behari Lal.
 - (9) B. Kali Shanker.
-

List showing the names of assistant jailers who were superseded at the time of introduction of the scheme.

- (1) M. Said Ullah Khan.
- (2) M. Amjad Ali Khan.
- (3) B. Narayan Sarup.
- (4) M. Basharat Ullah.
- (5) M. Hamid Ali.
- (6) B. Sheo Narain Lal.
- (7) M. Hazrat Ahmad.
- (8) M. Abdul Naim.
- (9) M. Musi Raza.
- (10) B. Jagan Nath Prasad.
- (11) B. Hazari Lal.
- (12) M. Sarfaraz Ali.
- (13) B. Raghubir Sahai.
- (14) M. Syed Husain.
- (15) M. Abdul Rashid Khan.
- (16) B. Krishna Sahai.
- (17) B. Gauri Shanker.
- (18) M. Mehdi Husain.
- (19) B. Thakur Prasad.

- (20) B. Devi Sahai.
- (21) B. Ram Lal.
- (22) M. Kallan Khan.
- (23) Bharosa Singh.
- (24) Ganga Prasad.
- (25) M. Abdul Latif.
- (26) B. Gaya Prasad.
- (27) M. Athar Husain.

APPENDIX O.

(See page 422 *supra*.)

List referred to in the answer to unstarred question No. 11 for November 2, 1927.

Name of honorary magistrate.	Amount of land revenue paid.	Amount of income-tax paid.	Educational qualifications.
	Rs. a. p.	Rs. a. p.	
1. Rai Bahadur Pandit Kharagjit Misra, M.A., LL.B., Advocate.	27 2 8	822 5 0	M.A., LL.B.
Rai Sahib Pandit Debi Dayal Pathak, B.A., Vakil.	1,878 7 0	187 0 0	B.A.
3. Shaikh Ahmad Husain..	200 0 0	..	Urdu-knowing and is a revenue agent.
4. Munshi Radhika Prasad	4,697 12 0	..	Knows Urdu, Hindi and English.
5. Lala Jasrat Rai ..	2,520 6 0	..	Knows Urdu, Hindi and has read up to Intermediate class.
6. Chaubey Gulzari Lal ..	1,585 8 0	..	Knows Urdu and Hindi.
7. Thakur Laik Singh ..	20,574 11 8	272 9 0	Knows Urdu, Hindi and English.
8. Chaudhri Shiam Singh	1,539 5 6	62 2 0	Ditto.
9. Thakur Hukum Singh ..	719 5 8	..	Knows Hindi.
10. Chaudhri Sadhu Singh..	1,312 2 8	..	Knows Urdu and Hindi and has read up to VII stan- dard in English.
11. Thakur Nirofani Singh..	166 10 8	..	Knows Urdu and Hindi.

APPENDIX P.

(See page 423 *supra*.)

*Statement referred to in the answer to unstarred question No. 17
for November 2, 1927.*

Name.	Qualifications.	Pay.	Remarks.
1. *M. Muhammad Yusuf Ansari.	B.A., L.T. ..	90-5-120-10-150 (efficiency bar at 120).	Declined the offer.
2. Thakur Subedar Singh ..	B.A., C.T. ..	Ditto.	
3. Pandit Din Dayal Sharma..	B.Sc., L.T. ..	Ditto.	
4. Babu Onkar Prasad Singhal	Ditto ..	Ditto	
5. Babu Kishan Narayan ..	Ditto ..	Ditto.	
6. Thakur Ram Brij Barot Singh.	B.A., L.T. ..	Ditto.	
7. Pandit Kabul Singh Swami	Ditto ..	Ditto.	
8. M. Muhammad Maqbul Husain.	S.L.C., C.T. ..	75-5-120-10-150 (efficiency bar at 120).	
9. Babu Chandrapal Singh ..	Inter., C.T. ..	Ditto.	
10. Pandit Narayan Prasad Jugran.	Matric, C.T. ..	Ditto.	
11. M. Muhammad Owais ..	Inter., C.T. ..	Ditto.	
12. Pandit Vasudeo Pande ..	Ditto ..	Ditto.	
13. Babu Nathi Mal ..	Ditto ..	Ditto.	
14. Babu Raghunath Sahai ..	S.L.C., C.T. ..	Ditto.	

* Pandit Ganesh Prasad Pande, S.L.C., C.T., subsequently appointed instead.

APPENDIX Q.

(See page 424 *supra*.)

Statement of the number of commissions given by the Subordinate Judge of Mainpuri to each of the vakils and the amount of remuneration paid to each of them on each commission during 1925, 1926 and 1927, referred to in answer to unstarred question No. 18 for November 2, 1927.

Serial number.	Name of vakil.	Number of commissions.	Fee of each commission paid.	Remarks.
	1925.		Rs.	
1	Maulvi Fazal Karim	2 {	75 } 215 140 }	
2	Babu Binod Behari Lal	1	50	
3	Hafiz Akram Khan	2 {	30 } 40 10 }	
4	Babu Prem Behari Lal	2 {	30 } 60 30 }	
5	Babu Piarey Lal	1	30	
6	Babu Krishna Jiwan Sahai	1	10	
7	Babu Jagdish Prasad	1	50	
8	Munshi Ata'at Mand Khan	1	15	
9	Babu Tirbeni Saran	1	10	
10	Babu Brij Behari Lal (Senior)	1	30	
11	Babu Ratan Varma	1	20	
12	Dube Mansukh Lal	2 {	30 } 60 30 }	
13	Babu Sarup Kishore	1	40	
14	Chaudhri Madan Singh	1	10	
15	Babu Kauleshwar Prasad	1	30	
	1926.			
1	Chaudhri Madan Singh	1	10	
2	Hafiz Akram Khan	2 {	16 } 28 12 }	
3	Babu Kauleshwar Prasad	1	20	
4	Babu Krishna Jiwan Sahai	1	20	
5	Babu Prem Behari Lal	1	30	
6	Babu Oudh Narain	1	12	

APPENDIX Q—(continued).

Serial number.	Name of wakil.	Number of commis- sioners.	Fee of each commission paid.	Remarks.
1926—(concluded).			Rs.	
7	Pandit Brij Nath Chaturvedi ..	2	..	The Commis- sioner charged no fee.
8	Maulvi Ata'at Mand Khan ..	1	12	
9	Babu Krishna Sahai ..	1	40	
10	Babu Tirbeni Saran ..	1	40	
11	Babu Behari Choral ..	1	50	
12	Maulvi Fazel Karim ..	1	12	
13	Babu Jagdishari Prasad ..	1	12	
14	Babu Piarey Lal ..	1	20	
1927.				
1	Babu Binod Behari Lal ..	1	200	
2	Dube Mansukh Lal ..	1	25	
3	Pandit Bapsidhar ..	3	{ 30 15 10 } 55	
4	Babu Kanleshwar Prasad ..	1	20	
5	Babu Tirbeni Saran ..	2	{ 100 20 } 120	
6	Pandit Girja Shankar ..	3	{ 15 30 20 } 65	
7	Babu Krishna Jiwan Sahai ..	3	{ 20 30 20 } 70	
8	Maulvi Ata'at Mand Khan ..	1	110	
9	Thakur Hardeyal Singh ..	1	12	
10	Thakur Udai Bir Singh ..	1	15	
11	Pandit Radha Krishna ..	1	20	
12	Babu Ram Ratan Varma ..	1	10	

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Thursday, November 3, 1927.

THE Council met in the Council Hall, Lucknow, at 11 A.M. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT (92).

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Balli.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. S. H. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliott, Bart.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Colonel R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. E. Ahmad Shah.
Babu Rama Charana.
Babu Lakshmi Narayan Gargh.
Babu Ganesh Shanker Vidyarthi.
Mr. A. P. Dube.
Pandit Rahas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Thakur Manjit Singh Rathor.
Chaudhri Mangat Singh.
Rai Bahadur Lala Jagdish Prasad.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Thakur Gulab Singh.
Lieut. Raja Kali Charan Misra.
Lala Nemi Saran.
Chaudhri Badan Singh.
Rao Sahib Kunwar Sardar Singh.
Thakur Sadho Singh.
Pandit Brijnandan Prasad Misra.
Pandit Bhagwat Narayan Bhargava.
Rao Udaibir Singh.
Babu Kishori Prasad.

Pandit Moolchand Dube.
Pandit Deota Prasad.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tirary.
Babu Ravendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Babu Abhinandan Prasad.
Bhaya Hanumat Prasad Singh.
Pandit Govind Ballabh Pant.
Pandit Badri Dutt Pande.
Mr. Mukandi Lal.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Babu Mahendra Deva Varma *alias* Lalji.
Raja Raghuraj Singh.
Maharaj Kunwar Major Mahijit Singh.
Kunwar Surendra Pratap Sahai.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Maulvi Zahur-ud-din.
Saiyid Tufail Ahmad.
Khan Bahadur Shaikh Zia-ul Haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Hafiz Muhammad Ibrahim.
Khan Bahadur Hafiz Hidayat Husain.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Khan Bahadur Saiyid Jafer Hossain.
Khan Bahadur Shaikh Saiyid Muhammad *alias* Maiku Mian.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Mr. St. George H. S. Jackson.
Rai Bahadur Lala Bihari Lal.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Kunwar Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Mr. J. P. Srivastava.
Pandit Iqbal Narayan Gurtu.

QUESTIONS AND ANSWERS.

Starred Questions.

TAHSILDAR OF ORAI.

* 1. **Pandit Bhagwat Narayan Bhargava** : Was any inquiry made into the official conduct of the tahsildar of Orai a few months back by some Magistrate by the order of the District Magistrate ?

* 2. Were the statements of any persons taken by the Magistrate in this connexion ?

* 3. When was the inquiry completed ?

* 4. Was any explanation of the tahsildar taken ?

* 5. Did the tahsildar submit any petition to the local authorities or to the Government ? If so, what was its nature ?

* 6. What final orders were passed in the matter ? When were they passed ?

* 7. What was the definite complaint about which the inquiry was made ?

The Hon'ble Sir Sam. O'Donnell : *1 to *7. The conduct of the officer in question was under inquiry. He submitted an application to retire on medical grounds. After full consideration the Government decided to accept it. They are not prepared to make any further statement.

Pandit Bhagwat Narayan Bhargava : Is it a fact that during the inquiry complaints of bribery were made against this officer ?

The Hon'ble Sir Sam. O'Donnell : I have already said I am not prepared to make any further statement.

Pandit Bhagwat Narayan Bhargava : May I know the reason why the Hon'ble the Finance Member is not prepared to make any further statement ?

The Hon'ble Sir Sam. O'Donnell : I cannot add anything to what I have said.

Lala Nemi Saran : Will the Government be pleased to state why he was not prosecuted ?

The Hon'ble Sir Sam. O'Donnell : I have already said I am not prepared to make a statement.

GANESH CHANDRA GHOSH, A BENGAL DETENU.

* 8. **Pandit Bhagwat Narayan Bhargava** : Is it a fact that Srijiut Ganesh Chandra Ghosh, a Bengal detenu confined in the Naini jail, is forced to have interviews with Criminal Investigation department officers against his will ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Under the instructions received from the Government of Bengal certain superior police officers and other police officers authorized by them are to interview the Bengal detenus.

Pandit Bhagwat Narayan Bhargava : Is the Government under the Bengal Criminal Law (Amendment) Act

allow the detenus an option to refuse interviews with the Criminal Investigation department?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No: it is not a fact.

*** 10. Pandit Bhagwat Narayan Bhargava:** Did one Criminal Investigation department officer, Munmath Nath Sen, go to Naini to see he said detenu on May 29 last? If so, what was the purpose of his visit and with whose permission did he go there? Did Mr. Ghosh refuse to see him?

*** 11.** Will the Government state after inquiry from the detenu what complaint he had against the said Criminal Investigation department officer?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: *10 and *11. A Bengal Criminal Investigation department officer duly authorized in that behalf interviewed detenu G. C. Ghosh in May last. Government are not aware of the purpose of the interview. The detenu refused to see him.

***12. Pandit Bhagwat Narayan Bhargava:** Did the officer interview the detenu on that date?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

Thakur Manjit Singh Rathor: Will the Hon'ble the Home Member kindly state the purpose of the visit of this Criminal Investigation department officer to this Bengal detenu in United Provinces against his wish in the jail?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: This Government is not aware of the purpose.

Thakur Manjit Singh Rathor: Is it with a view to change the opinions of the Bengal detenu that the Criminal Investigation department official visits him against his wish?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As I have already said, we are not aware of the purpose.

Pandit Bhagwat Narayan Bhargava: Is it open to a prisoner in the jail to refuse to see a visitor?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not know.

Pandit Nanak Chand: Are there no jail regulations on the point?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I cannot remember, but if the honourable member will give me notice I will look into it.

Thakur Manjit Singh Rathor: Is the unwelcome visitor to this Bengal detenu a Criminal Investigation department officer of Bengal or the United Provinces?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to the answer already given.

Pandit Bhagwat Narayan Bhargava: Is it the practice of the Government to allow visitors to see a prisoner without knowing the purpose for which they want to see him?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes, when they are authorized by the Government from whose province the detenu comes.

Pandit Bhagwat Narayan Bhargava: Did the Government receive the authority in writing from the Government of Bengal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: It is the Government's own business to see whether the authority was satisfactory or not; but we know that he was authorized by the Bengal Government to visit the detenu.

Pandit Bhagwat Narayan Bhargava: Did the Government of Bengal inform this Government the purpose for which they were sending a Criminal Investigation department officer to visit the detenu?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

Pandit Bhagwat Narayan Bhargava: Did the Government make an inquiry from the Bengal Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No. We have no right to ask the Bengal Government.

REPORT OF THE COMMITTEE ON VERNACULAR AND NORMAL SCHOOLS.

* 13. **Pandit Bhagwat Narayan Bhargava:** Has the Government published the report of the committee on vernacular schools and normal schools presided over by Mr. Harrop?

The Hon'ble Rai Rajeshwar Bali: The answer is in the negative.

Mr. C. Y. Chintamani: May I know why?

The Hon'ble Rai Rajeshwar Bali: It was only a departmental committee.

AMENDMENTS TO THE MUNICIPALITIES ACT.

* 14. **Pandit Bhagwat Narayan Bhargava:** (a) Has the Government received the opinions of all municipal boards about the amendments of the existing Municipalities Act? (b) If not, how many boards have not yet sent in their opinions? (c) How long does the Government intend to wait for them?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) Six.

(c) Government consider it necessary to await and consider the opinions of the remaining boards to whom reminders have issued.

GOVERNMENT'S ACTION ON RESOLUTIONS PASSED BY THE COUNCIL.

* 15. **Pandit Bhagwat Narayan Bhargava:** Will the Government state what action has been taken by them on the resolutions passed by this Council in its June session last?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the *answer given to starred question no.* 107 yesterday.

PRINCIPLE OF COMMUNAL REPRESENTATION IN SERVICES.

* 16. **Pandit Bhagwat Narayan Bhargava:** Will the Government state in what branches of service the principle of communal representation is being followed and since when?

* 17. Will the Government give the proportion of various communities fixed for Government posts, appointments to which depend on competitive examination or direct recruitment?

* 18. What is the principle on which the proportion was fixed?

The Hon'ble Sir Sam. O'Donnell: *17 and *18. In recruiting for the public services Government endeavour as far as possible to prevent the preponderance of any particular community.

Mr. C. Y. Chintamani: Have the Government made any such endeavour in respect of the Police department?

The Hon'ble Sir Sam O'Donnell: Yes.

Lala Nemi Saran: In regard to what services has the Government fixed specifically the proportion of different communities?

The Hon'ble Sir Sam O'Donnell: Perhaps regarding no service.

Lala Nemi Saran: Is it a fact that in the competitive examination for provincial services a certain proportion is fixed?

The Hon'ble Sir Sam O'Donnell: No, it is not fixed at present.

Lala Nemi Saran: Is it a fact that in the provincial services competitive examination racial concession is made for a fixed number of the Muslim community?

The Hon'ble Sir Sam. O'Donnell: No.

Lala Nemi Saran: Has the Government made any departure from the rule of appointing those who top the list?

The Hon'ble Sir Sam O'Donnell: No. The practice is that an endeavour is made to prevent the preponderance of any particular community.

Lala Nemi Saran: Is it a fact that in regard to competitive examinations Government has made a rule that the Muslim community shall be represented by a fixed number of candidates?

The Hon'ble Sir Sam O'Donnell: No, not a fixed number.

Lala Nemi Saran: Is that number fixed every year?

The Hon'ble Sir Sam O'Donnell: Every year the number is fixed, i.e. the appointments are made so many of Muslims and so many of non-Muslims.

Lala Nemi Saran: On what considerations is that number fixed?

The Hon'ble Sir Sam. O'Donnell: On the principle I have already mentioned in the reply.

Lala Nemi Saran: Has the Government in the recent appointments to the Police department considered this question of preponderance of one community?

The Hon'ble Sir Sam O'Donnell: We always consider it.

Khan Bahadur Hafiz Hidayat Husain: Are Government aware that in some branches of the service, clerical for instance, there are no Muhammadans practically?

The Hon'ble Sir Sam O'Donnell: I am surprised to hear that there are no Muhammadans. There may be some branches of the service in which the number of Muhammadans is small.

HORSE ALLOWANCE TO SUPERVISOR QANUNGOS.

* 19. **Pandit Bhagwat Narayan Bhargava:** Do Government intend to sanction horse allowance for supervisor qanungos? If so, when?

The Hon'ble Sir Sam O'Donnell: The allowance would cost about a lakh of rupees: since this amount is neither available nor likely to become so in the near future, Government consider it premature to make a decision in the matter.

BUNDELKHAND ALIENATION OF LAND ACT.

* 20. **Pandit Bhagwat Narayan Bhargava:** Do Government intend to introduce a Bill to amend the Bundelkhand Alienation of Land Act? If so, when?

The Hon'ble Sir Sam O'Donnell: Government are unable to say.

Pandit Bhagwat Narayan Bhargava: Did the Government receive a suggestion from the High Court to amend this act at an early date?

The Hon'ble Sir Sam O'Donnell: We got a copy of a judgment from the High Court in which the question of amending the Act is mentioned.

* 21. **Pandit Bhagwat Narayan Bhargava:** (a) Did the Government invite the opinion of the Commissioner of Jhansi division in this connexion during the current year?

(b) If so, what was the substance of his recommendations?

(c) What action does the Government propose to take on each of his recommendations?

The Hon'ble Sir Sam O'Donnell: (a) Yes.

(b) & (c) Government are unable to give the contents of official correspondence of this nature.

* 22. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

SCALE OF PAY OF DISTRICT BOARD TEACHERS.

* 23. **Pandit Bhagwat Narayan Bhargava:** (a) What is the existing scale of pay of district board teachers of various qualifications? (b) Are all district boards actually paying their teachers according to the said scale? (c) If not, which of them are unable to do so for want of money?

The Hon'ble Rai Rajeshwar Bali: (a) The honourable member is referred to rules 12, 13, 15, 16, and 18 of the District Board Educational Rules.

(b) Yes, so far as Government are aware.

(c) Does not arise.

* 24. Pandit Bhagwat Narayan Bhargava: (a) Has the Director of Public Instruction been receiving resolutions and representations from vernacular teachers' conference about the inadequacy of their existing pay? (b) Has any action been taken on them?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) Does not arise.

* 25. Pandit Bhagwat Narayan Bhargava: Do Government intend to raise the scale? If not, why not?

The Hon'ble Rai Rajeshwar Bali: No; not at present.

TEXT-BOOK COMMITTEE.

* 26. Pandit Bhagwat Narayan Bhargava: How many meetings of the Provincial Text-book Committee were held in the years 1926 and 1927?

The Hon'ble Rai Rajeshwar Bali: 1926: Sub-committees, 15.

General committees, 2.

1927: Sub-committees, 8.

It is expected that the general committee will hold a meeting in December next.

* 27. Pandit Bhagwat Narayan Bhargava: Are the members of this committee permitted to be authors, compilers or publishers of any text-book? If so, under what rule?

The Hon'ble Rai Rajeshwar Bali: There is no rule which prohibits members of the Text-book Committee from becoming authors, compilers, or publishers of text-books.

Pandit Bhagwat Narayan Bhargava: Does the Government approve of the idea of these members giving their opinion on the books compiled by themselves?

The Hon'ble Rai Rajeshwar Bali: They have to go out of the meeting when their own books are taken up for consideration.

Pandit Bhagwat Narayan Bhargava: Is there any objection to a rule being made that the compilers and authors of books should not be members of the Text-book Committee or should not be allowed to put their books before the committee?

The Hon'ble Rai Rajeshwar Bali: In that case we might be deprived of some very useful men.

* 28. Pandit Bhagwat Narayan Bhargava: How many of the present members of the committee have got their books on the curricula?

The Hon'ble Rai Rajeshwar Bali: The honourable member is referred to the reply given to starred question No. 26 asked on October 31, 1927.

Copy of starred question No. 26 asked by PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB on October 31, 1927, and of its reply.

QUESTION.

* Will the Government state the names of the members of the Text-book Committee who are either authors, compilers, or translators, publishers or partners thereof of any text-book at present in use?

ANSWER.

A statement is placed on the table of the honourable member.

Statement.

- (1) Babu Ganga Prasad.
- (2) Lala Sita Ram.
- (3) Pandit Manohar Lal Zutshi.
- (4) Mr. Kaushal Kishor.
- (5) Mr. A. H. Mackenzie—On his appointment as President of the committee Mr. Mackenzie surrendered all financial interest in the books written by him.

INTRODUCTION OF NATIONAL AND PATRIOTIC SPIRIT AMONGST STUDENTS.

* 29. **Pandit Bhagwat Narayan Bhargava:** Have any changes been introduced in the lessons of English books with a view to introduce national and patriotic spirit amongst the students?

The Hon'ble Rai Rajeshwar Bali: Yes. Books containing lessons inculcating a national and patriotic spirit are prescribed.

INSPECTION NOTE ON GOVERNMENT SCHOOL, LALITPUR.

* 30. **Pandit Bhagwat Narayan Bhargava:** What action has the Government taken on the inspection note of the Government school, Lalitpur, by His Excellency the Governor? Will the Government lay a copy of the inspection note on the table?

The Hon'ble Rai Rajeshwar Bali: Government are unable to supply a copy of His Excellency's remarks: the necessary action has been taken.

* 31 to 33. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

TRANSFER AND CONTROL OF LOCAL METALLED ROADS.

* 34. **Pandit Bhagwat Narayan Bhargava:** (a) Has the Government received the opinions of all district boards about the transfer and control of local metalled roads? (b) How many of them have favoured the Government resolution and how many of them disapprove of it? (c) What action does the Government intend to take in this connexion?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) and (c) Do not arise.

* 35 to *38. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

LYMPHS SUPPLIED TO DISTRICT BOARDS.

* 39. (a) **Pandit Bhagwat Narayan Bhargava:** Do Government charge the price of lymphs supplied to district boards?

(b) Has the Director of Public Health suggested that they should be supplied free?

(c) What action do the Government intend to take on this?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Yes.

(c) Government propose to maintain the existing practice.

*** 40. Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

COMPULSORY VACCINATION IN RURAL AREAS.

*** 41. Pandit Bhagwat Narayan Bhargava :** (a) Is it a fact that the Government invited the opinions of district officers and the district boards regarding the proposal of compulsory vaccination in rural areas ?
(b) What action has since been taken in this direction ?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) The matter is under consideration.

*** 43 to * 44. Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

SCHEME OF SUBSIDIZING MEDICAL MEN TO SETTLE DOWN IN VILLAGES.

*** 45. Pandit Bhagwat Narayan Bhargava :** In which districts is the scheme of subsidizing medical men to settle down in villages in force at present ? How many of those doctors are of the grade of assistant surgeon and how many of that of sub-assistant surgeon ?

The Hon'ble Rai Rajeshwar Bali : (a) The scheme is in force in Dehra Dun, Saharanpur, Bulandshahr, Muttra, Bijnor, Budaun, Moradabad, Benares, Basti, Almora, Garhwal, Lucknow, Unao, Hardoi, Kheri, and Fyzabad.

(b) Assistant surgeons, 2 ; sub-assistant surgeons, 32.

REGISTRATION OF AYURVEDIC AND UNANI PHYSICIANS.

*** 46. Pandit Bhagwat Narayan Bhargava :** (a) Has the Government commenced the registration of Ayurvedic and Unani physicians for purposes of practice, etc., as recommended by the Ayurvedic and Unani Committee ? (b) If so, in which districts, and if not, why not ?

The Hon'ble Rai Rajeshwar Bali : (a) No.

(b) The matter is under consideration.

*** 47 and * 48. Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PENSIONS TO GOVERNMENT SCHOOL TEACHERS.

*** 49. Pandit Bhagwat Narayan Bhargava :** (a) Will the Government state if the Director of Public Instruction has collected by now all the information required for the decision of the question of pensions to Government school teachers referred to in his speech on March 28, 1927 ?

(b) If so, has he submitted any proposals in this connexion? Will the Government lay a copy of the same before the House?

(c) What action has the Government taken or does it intend to take in this matter?

The Hon'ble Rai Rajeshwar Bali: (a) Complete information is not yet ready.

(b) and (c) Do not arise.

REMARKS IN

GOVERNMENT RESOLUTION ABOUT MUNICIPAL ADMINISTRATION IN JHANSI.

* 50. **Pandit Bhagwat Narayan Bhargava:** Has the attention of the Government been drawn to the resolution of Jhansi municipal board protesting against certain remarks quoted against the board in the Government resolution on municipal administration for the year 1925-26?

The Hon'ble Nawab Muhammad Yusuf: Yes.

Pandit Bhagwat Narayan Bhargava: Has the Government taken any action on the resolution of the board?

The Hon'ble Nawab Muhammad Yusuf: No.

Pandit Bhagwat Narayan Bhargava: May I know the reasons for this?

The Hon'ble Nawab Muhammad Yusuf: The reason is that those remarks are justified.

REMOVAL OF KOTWALI FROM THE PALACE OF MAHARANI LAXMI BAI, JHANSI.

* 51. **Pandit Bhagwat Narayan Bhargava:** Has the attention of the Government been drawn to the resolution of Jhansi municipal board urging upon the Government to remove the kotwali from the palace of Maharani Laxmi Bai? If so, what action has been taken on it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer to the first part of the question is in the negative. The second part does not arise.

Pandit Bhagwat Narayan Bhargava: Is the Government aware that the resolution of the board has been withheld by the district magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No; we are not aware of this fact.

Pandit Bhagwat Narayan Bhargava: Is it the intention of the Government to inquire from the district magistrate the reasons why he has withheld the resolution of the board?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not see any reason why an inquiry should be made.

Pandit Bhagwat Narayan Bhargava: Are district magistrates empowered under the rules to withhold resolutions which a board wants to send to Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not know. If the honourable member will give me notice, I can find out whether under the rules the district magistrate is so empowered or not.

Lala Nemi Saran: Did the Government after the receipt of the question send for from the municipal board of Jhansi the text of the resolution mentioned in the question?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

Lala Nemi Saran: May I know why the Government did not do so?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Because we were not asked. The question was whether our attention was drawn to that resolution and I have replied to that in the negative.

Pandit Bhagwat Narayan Bhargava: Will the Government admit the representation if it is sent directly to them and not through the proper channel?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: If it is sent through the proper channel.

Lala Nemi Saran: Is it the intention of the Government now to ask the municipal board of Jhansi to send that resolution for their information?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No; it is not our intention to ask them to send any resolution.

Pandit Bhagwati Narayan Bhargava: Is it the intention of the Government to ask the district magistrate of Jhansi if he has withheld that resolution?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I see no reason for this unless I am definitely told by some member here that it was so.

Lala Nemi Saran: Is it not a fact that the honourable member for Jhansi has just now said that the resolution was withheld by the district magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: He did not say so. He simply asked if it was a fact that the district magistrate of Jhansi withheld the resolution.

Mr. A. P. Dube: May I ask what useful purpose does this obstruction fulfil in stopping the free exchange of views between the district boards and the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I believe there is no obstruction anywhere.

* 52. **Pandit Bhagwat Narayan Bhargava:** [Disallowed].

TAXATION ON MOTOR LORRIES.

* 53. **Pandit Bhagwat Narayan Bhargava:** Has the Government decided to allow district boards to impose taxation on motor lorries within their jurisdiction?

The Hon'ble Nawab Muhammad Yusuf: No. The question is still under the consideration of the Board of Communications.

PENSION RULES.

* 54. **Pandit Bhagwat Narayan Bhargava:** Is the Government preparing any new pension rules for officers of the Provincial services? If so, when are they expected to be published for general information?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to starred question No. 213 asked on November 1, 1927.

Starred question No. 213 for November 1, 1927, asked by PANDIT BADRI DUTT PANDE and the answer given thereto.

QUESTION.

Pandit Badri Dutt Pande: (a) Has the Secretary of State for India written that provincial Governments can make their own rules for subordinates?

(b) In view of this has Government made any revised pension rules?

ANSWER.

The Hon'ble Sir Sam O'Donnell: (a) Yes. The delegation rules which have been made by the Secretary of State in Council under section 96-B of the Government of India Act, authorize the provincial Governments to make their own rules governing the pension of provincial and subordinate services and of special posts under their control.

(b) This Government propose to await the revised pension rules which they understand the Government of India are preparing for officers under their own control, and to make such alterations in these rules as local conditions may render advisable.

GRANT-IN-AID TO HINDU UNIVERSITY, BENARES.

* 55. **Pandit Bhagwat Narayan Bhargava:** (a) How many applications were received by the Government from the Hindu University for grant-in-aid either to the university or its secondary and high schools during the last five years?

(b) How many of these were rejected and on what grounds?

(c) How many were granted?

(d) With regard to (c), will the Government state what was the amount applied for and what amount was granted?

***The Hon'ble Sir Sam O'Donnell:** (a) Nine.

(b) For the reasons given in the debate on the resolution moved by Pandit Iqbal Narayan Gurtu on January 27, 1927, none was sanctioned.

(c) and (d) Do not arise.

***The Hon'ble Rai Rajeshwar Bali:** (a) Three.

(b) The question of giving grants to these institutions will be considered in connexion with the budget of 1928-29; applications were received too late for consideration in connexion with the budget of 1927-28.

(c) and (d) Do not arise.

* 56. **Pandit Bhagwat Narayan Bhargava:** Has any grant-in-aid to high school of Benares University been given this year?

The Hon'ble Rai Rajeshwar Bali: No.

EMBEZZLEMENT BY ASSISTANT NAZIR OF JUDGE'S COURT, AGRA.

* 57. **Pandit Bhagwat Narayan Bhargava:** (a) Was any case of a embezzlement started against an assistant nazir of judge's court,

- (b) Was his security taken at the time of appointment ?
- (c) On whose recommendation was he appointed ?
- (d) Whose duty was it to have seen if he had given requisite security before his appointment ?

(e) What was the result of the prosecution ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

- (a) Yes. The amount embezzled was Rs. 1,197-8.
- (b) No
- (c) The appointment was recommended by the additional munsif in charge of the office and sanctioned by the officiating district judge.
- (d) Ultimately it was the duty of the district judge.
- (e) Pirbhu Dayal was convicted under section 409, Indian Penal Code, on three charges and sentenced on each count to undergo one year's rigorous imprisonment and to pay a fine of Rs. 250. with three months' further rigorous imprisonment in default. The substantive sentences were ordered to run concurrently.

Pandit Bhagwat Narayan Bhargava : What is the amount of security which a nazir is required to deposit before his appointment ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No security was taken.

Pandit Bhagwat Narayan Bhargava : I know it was not taken. I want to know what is the amount of security which is generally taken from a nazir before he is appointed ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not remember.

Lala Nemi Saran : Why a security was not taken ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It was a mistake. It ought to have been taken.

MUNSARIM, JUDGE'S COURT, AGRA.

* 58. **Pandit Bhagwat Narayan Bhargava :** (a) Was any application submitted by the civil court staff at Agra to the local Government and the Honourable High Court to transfer the munsarim of the judge's court ?

(b) What order was passed on the same ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.

(b) Does not arise.

PRIVILEGE LEAVE TO JUDICIAL OFFICERS.

* 59. **Pandit Bhagwat Narayan Bhargava :** Was a representation received by the Government from the judicial officers that they should be given the right to claim privilege leave ? What action was taken on it ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

It was rejected.

Pandit Bhagwat Narayan Bhargava : May I know the reasons for rejection ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Because these judicial officers are governed by Fundamental Rule 82 to which I refer the honourable member.

POWERS OF BOARD OF INDUSTRIES.

* 60. **Pandit Bhagwat Narayan Bhargava :** Reference to starred question No. 28 of June 30 of Mr. Srivastava, will the Government state why they are not prepared to give the Board of Industries the power to frame the budget of the department of Industries and the power of appointment and promotion of superior staff as recommended by the Indian Industrial Commission ?

The Hon'ble Thakur Rajendra Singh : Government cannot share their responsibility to the legislature in regard to these matters with the Board of Industries.

LAND FOR GRAZING OF CATTLE IN JHANSI.

* 61. **Pandit Bhagwat Narayan Bhargava :** (a) With reference to starred question No. 91 of June 22, 1927, will the Government state how much land out of the total grazing land of about 2,000 square miles is open for grazing of cattle in Jhansi district, whether free or on some charges ?

(b) What are the charges per head of cattle in the said area ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The whole.

(b) A statement is laid on the honourable member's table.

(See Appendix A, page 603.)

INDIAN SUPERINTENDENTS IN CIVIL VETERINARY DEPARTMENT.

* 62. **Pandit Bhagwat Narayan Bhargava :** Are there any Indian superintendents in the Civil Veterinary department ? If not, why ?

The Hon'ble Thakur Rajendra Singh : The answer is in the affirmative.

INDIAN CONSERVATORS OF FORESTS.

* 63. Are there any Indian conservators of forests in the United Provinces ? If not, what is the reason for their absence ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, because no Indian is yet sufficiently senior.

TAHSILDAR OF CAWNPORE.

* 64. **Pandit Bhagwat Narayan Bhargava :** (a) How long has the present tahsildar of Cawnpore been posted there ?

(b) When was he confirmed as a tahsildar ?

(c) What is his age ?

The Hon'ble Sir Sam O'Donnell : (a) Since September, 1913.

(b) In January, 1910.

(c) He will complete sixty years of age on March 14, 1928.

Pandit Bhagwat Narayan Bhargava : Are there special grounds for his retention in service for so many years ?

The Hon'ble Sir Sam O'Donnell : I presume that the local authorities consider that he is specially qualified by experience and ability for holding the post.

Pandit Bhagwat Narayan Bhargava : May I know the special circumstances of Cawnpore that necessitated his staying there ?

The Hon'ble Sir Sam O'Donnell : I believe the residents of Cawnpore desired that he should be retained.

Pandit Bhagwat Narayan Bhargava : Was any representation received from the residents of the city to that effect ?

The Hon'ble Sir Sam O'Donnell : I believe representations were made to the Collector.

Pandit Bhagwat Narayan Bhargava : When was it ?

The Hon'ble Sir Sam O'Donnell : That I cannot say.

Lala Nemi Saran : Is it the general practice of Government to keep subordinates in a place for a long time because of the wishes of the people ?

The Hon'ble Sir Sam O'Donnell : There is no general practice in the matter. Sometimes officers are retained for considerable periods in a place for local reasons in particular cases.

TAHSILDARS

* 65. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that there are some tahsildars in first grade who were made permanent long before the tahsildars now in special selection grade ? If so, why were they not taken in the special selection grade prior to those now in that grade ?

The Hon'ble Sir Sam O'Donnell : Yes. They were not considered fit for promotion to the special selection grade.

* 66. **Pandit Bhagwat Narayan Bhargava :** What were the special services of the two tahsildars in special selection grade on account of which they superseded their seniors in getting the special grade ?

The Hon'ble Sir Sam O'Donnell : The grounds for promotion to the selection grade are exceptional ability and executive capacity and not special services.

SUPERINTENDENTS FOR MONUMENTS IN UNITED PROVINCES.

* 67. **Pandit Bhagwat Narayan Bhargava :** Will the Government kindly give the names of the superintendents for Muhammadan and British Monuments and Hindu and Buddhist Monuments in the United Provinces ? Where are their offices located and what are their functions ?

The Hon'ble Sir Sam O'Donnell : The superintendents are Khan Sahib Maulvi Zafar Hasan and Rai Bahadur Daya Ram Sahni, and their offices are at Agra and Lahore, respectively. Pandit Madho Sarup Vats is officiating for the latter, who is officiating as Deputy Director-General of Archaeology. Details of the functions of the archaeological superintendents are laid on the table.

(See Appendix B, page 604.)

RELIGIOUS TEACHING IN REFORMATORY SCHOOLS.

* 68. **Pandit Bhagwat Narayan Bhargava**: Is there any arrangement for religious teaching in reformatory schools? If so, what?

The Hon'ble Rai Rajeshwar Bali: Yes. The boys recite prayers and read religious books under the supervision of teachers of their own faith.

CULTIVATED AREA IN UNITED PROVINCES.

* 69. **Pandit Bhagwat Narayan Bhargava**: Is it a fact that the cultivated area in the United Provinces has been below normal since 1918 till now except in 1921-22? If so, will the Government state the reasons for the decrease and the steps which it has been taking to improve the condition?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the figures given at the end of paragraph 4 of the Season and Crop Report for the year 1926-27. When the *kharif* area has been below normal the *rabi* or *zaid* or both have, generally speaking, been above. Government do not consider that any steps are required.

SUB-INSPECTOR OF SADAR BAZAR POLICE, JHANSI.

* 70. **Pandit Bhagwat Narayan Bhargava**: Is the Government aware that one Pandit Ram Samajh of Sadar bazar, Jhansi, has filed a suit for damages in civil court against the police sub-inspector of Sadar bazar?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer is in the affirmative.

* 71. **Pandit Bhagwat Narayan Bhargava**: Is the Government aware that the said sub-inspector has applied to the superintendent of police or the district magistrate, Jhansi, to get him defended in civil court at government expense?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer is in the affirmative.

* 72. **Pandit Bhagwat Narayan Bhargava**: What recommendation did the superintendent of police and the district magistrate make on his application to the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No recommendation by the superintendent of police and the district magistrate on the sub-inspector's application has so far been received by Government.

Pandit Bhagwat Narayan Bhargava: What action do Government propose to take on the application?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member has probably not read the printed answer. We have said we received no application.

* 73. **Pandit Bhagwat Narayan Bhargava**: Will the Government action taken by it on the request of the sub-inspector together with the action taken by the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Does not arise

* 74 to 76. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

STATE MEDICAL FACULTY.

* 77. **Pandit Bhagwat Narayan Bhargava :** (a) Has the Medical Council forwarded its resolution, dated March 21, 1927, to the Government in connexion with the State Medical Faculty? (b) If so, will the Government lay it before the House and state what action has been taken on it?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) A copy of the resolution is laid on the table. Government have informed the Medical Council that they will be prepared to consider on their merits any suggestions which the Council may desire to make with reference to the constitution of the State Medical Faculty.

(See Appendix C, page 98.)

* 78 to 80. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

GRANT TO RAILWAY EUROPEAN SCHOOL, JHANSI.

* 81. **Pandit Bhagwat Narayan Bhargava :** Does the Government pay any grant, recurring or non-recurring, to the Railway European school at Jhansi? If so, what?

The Hon'ble Sir Sam O'Donnell : In 1927-28 the grants are —

	Rs.		
Recurring	5,556
Non-recurring	Nil.

Pandit Bhagwat Narayan Bhargava : Is Government aware that admission is refused here to Indians on the ground that they are Indians?

The Hon'ble the President : Have we not a question on that point later on? I remember having admitted some.

* 82 & 83. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RECRUITMENT FOR INDIAN MEDICAL SERVICE.

* 84. **Pandit Govind Ballabh Pant :** Will the Government be pleased to state the names and qualifications of persons recruited for the Indian Medical Service during the last two years? When were they appointed and on what terms?

The Hon'ble Rai Rajeshwar Bali : The information required is not available, as recruitment for the Indian Medical Service is made by the Government of India and not by this Government.

Pandit Govind Ballabh Pant: Were any fresh recruits admitted into this province during the last two years?

The Hon'ble Rai Rajeshwar Bali: No, not in the last two years.

Pandit Govind Ballabh Pant: Should I infer that all persons in the Indian Medical Service in the province today were recruited before two years ago?

The Hon'ble Rai Rajeshwar Bali: Yes.

SUB-INSPECTOR OF POLICE, SHIKOHABAD.

*85. **Pandit Govind Ballabh Pant:** What action has Government taken against the sub-inspector of Shikohabad whose complaint for defamation was dismissed by the High Court in May last? Was he suspended? If so, when? Has any case been started against him in any court? If so, where? What are his academic or literary qualifications? What knowledge of English does he possess?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Inquiries were made and the district magistrate came to the conclusion that proceedings against the sub-inspector were not likely to be successful. The Government on legal advice accepted this conclusion. As regards the second part of the question, the sub-inspector does not know English, but his attainments are sufficient for the post which he holds.

Pandit Govind Ballabh Pant: When did the district magistrate start the inquiry?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I do not know what date the inquiry was started on exactly.

Pandit Govind Ballabh Pant: When was it completed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: My reply is the same.

Pandit Govind Ballabh Pant: Had the High Court made any remarks against this man that he was guilty of certain offences in their judgement?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: There are some remarks.

Pandit Govind Ballabh Pant: Was the inquiry held before or after the judgement was delivered?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The inquiry was held after the judgement was delivered.

Pandit Govind Ballabh Pant: Was the sub-inspector suspended after the judgement and during the course of the inquiry?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As far as I remember, no.

Pandit Govind Ballabh Pant: What courtesy did the Government show towards the judgement of the High Court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We at an inquiry.

Pandit Govind Ballabh Pant : Was the sub-inspector serving in the same circle when the inquiry was held and did he stay there during the course of the inquiry ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot say, but I remember that an inquiry was held, and I think he was transferred, but I cannot say for certain.

Pandit Govind Ballabh Pant : To which circle was he transferred ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : That I do not know.

Pandit Govind Ballabh Pant : Were the persons aggrieved allowed to appear before the district magistrate in the course of the inquiry ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I hope they were allowed to appear before the superintendent of police who made the inquiry.

Pandit Govind Ballabh Pant : Were the statements of witnesses recorded in their presence ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware of all these details. I will require further notice.

Pandit Govind Ballabh Pant : To whose legal advice does the Government attach greater importance, the opinion of the High Court or that of its own officers ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not want to make any comparison between the opinion of the High Court and that of any others. What I said was that we took the advice of our legal advisers and we accepted that advice.

Mr. A. P. Dube : Was the opinion of the High Court that proceedings should be taken against the sub-inspector based on evidence ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Perhaps the honourable member is aware that the High Court left it to the discretion of the district magistrate to take such action as he thought fit.

Mr. A. P. Dube : I ask were the remarks of the High Court that proceedings may be taken against the sub-inspector based on evidence ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : That is exactly what I am saying. The last letter that you, Sir, read out to the House said that it was left to the discretion of the district magistrate to take such action as he thought necessary.

Pandit Bhagawat Narayan Bhargava : Has it been found by the inquiry whether the case as represented by the sub-inspector was true or false ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I could not follow the question.

Pandit Govind Ballabh Pant : Was the inquiry by the district magistrate an open one ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I hope so. I do not know.

Pandit Govind Ballabh Pant : Was it open to those persons who made the complaints against the sub-inspector to engage counsel to cross-examine the witnesses examined by the district magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, it was a departmental inquiry.

Pandit Govind Ballabh Pant : Was the judgement of the High Court based on evidence that was recorded in the presence of both parties when either of them had opportunities of examining and cross-examining the witnesses?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I suppose so.

Pandit Govind Ballabh Pant : Did the district magistrate send to the Government his own criticisms of the findings of the High Court and state that the latter should not be accepted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not wish to discuss the judgement of the High Court on the floor of the House.

Pandit Govind Ballabh Pant : I am not discussing the judgement of the High Court. I merely want to know if the district magistrate gave any reasons as to why the judgement of that Hon'ble Court should be discarded. I find the Hon'ble the Home Member is trying to avoid this question.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As stated in the reply, the district magistrate came to the conclusion that proceedings against the sub-inspector were not likely to be successful.

Pandit Govind Ballabh Pant : Did he take the judgement of the High Court into account, when he reported his conclusion to the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : He must have done so.

Pandit Govind Ballabh Pant : Did he give his reasons for discarding the opinion expressed by the Hon'ble High Court in their judgement?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I can say no more than this, that he gave full reasons for the view that he took in the matter.

Pandit Govind Ballabh Pant : Were the Government satisfied from his report that the High Court was wrong and the district magistrate right?

The Hon'ble the President : I do not think that this question can be answered, because either way it would be a reflection on courts.

Pandit Govind Ballabh Pant : Was the district magistrate who gave the report on the case the same gentleman who was in charge of the

district during the period to which the complaints against the sub-inspector related?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Pandit Govind Ballabh Pant : Was it not the nature of the complaints that the district magistrate had not been able to keep an eye on the sub-inspector, and that, therefore, there had occurred cases of corruption in the district?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not remember. I require notice.

Pandit Govind Ballabh Pant : Would it be complimentary to the district magistrate if his subordinates were found to have been guilty of corrupt practices in his administration?

The Hon'ble the President : I do not think this question can be answered.

Pandit Govind Ballabh Pant : Very well, Sir, I withdraw it. Will the Government be pleased to publish the report of the district magistrate?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think it is necessary and usually we do not publish such reports.

Pandit Govind Ballabh Pant : Does the Government expect the public to accept the obscure report sent through a dark channel by the district magistrate as compared with the judgement of the High Court which was given in an open court?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It is an expression of opinion about obscurity.

Pandit Govind Ballabh Pant : Why was the officer not suspended after the High Court had clearly stated that he had been guilty according to their own light on the basis of the evidence that they had recorded in connexion with the offence with which he was charged?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is aware of the last letter that was received.

Pandit Govind Ballabh Pant : I am perfectly aware of that. Did or did not the High Court hold that the man had been guilty of accepting illegal gratification?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Neither in the judgement nor in the last letter have the High Court said anything. They have left the matter to the discretion of the district magistrate.

Pandit Govind Ballabh Pant : Is it or is it not the ordinary practice that when inquiries are made in matters pertaining to bribery, the officers concerned are suspended even if there be *prima facie* suspicion in the mind of the local officer?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : That is not the practice.

Pandit Govind Ballabh Pant : Should I conclude that no officer of the Government is suspended until the inquiry has been completed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Not necessarily. It depends on the merits of each case.

Pandit Govind Ballabh Pant : Which are those cases in which they are suspended ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It all depends on circumstances.

Pandit Govind Ballabh Pant : Is it or is it not a fact that in those cases in which there is a justifiable ground for holding that the man has been guilty of the offence, he is suspended ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have just said that it depends on the merits of each case.

Pandit Govind Ballabh Pant : Does or does not the Government attach importance to the views of the High Court ?

The Hon'ble the President : That question does not arise.

Pandit Bhagwat Narayan Bhargava : Did the District Magistrate in his report find that the complaints submitted by the sub-inspector were true or false ?

[No reply was given.]

Babu Bhagwati Sahai Bedar : Is not the High Court the highest legal authority in these provinces ?

The Hon'ble the President : That does not arise. The honourable member knows that as well as anybody else.

Thakur Manjit Singh Rathor : Is the Government prepared to reconsider the whole question of punishing the sub-inspector of police.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Pandit Bhagwat Narayan Bhargava : Has the Government taken any departmental action against the sub-inspector ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If the honourable member will read the answer, I think all these questions will not be put.

Pandit Badri Dutt Pande : Is it the intention of the Government to compensate Pandit Ganesh Shankar Vidyarthi, who has been unnecessarily humiliated by this officer ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Pandit Govind Ballabh Pant : Is the Government contributing any part of the cost incurred by the sub-inspector in the case brought against him by Pandit Ganesh Shankar Vidyarthi ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not remember : we have not got any papers before us.

Pandit Govind Ballabh Pant : Has the Government received any application from the sub-inspector for any subsidy for this purpose ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Pandit Bhagwat Narayan Bhargava : Has the District Magistrate given any reasons for the conclusion that the case is not likely to succeed ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes, he has.

Pandit Bhagwat Narayan Bhargava : May I know the reasons stated by him ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We are not prepared to give them.

Pandit Govind Ballabh Pant : Has the District Magistrate suggested that the sub-inspector should be paid something to enable him to meet the cost incurred by him on this case?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I must ask for notice.

Pandit Govind Ballabh Pant : Does the District Magistrate agree with the findings of the court which decided that case or does he differ from them?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The letter of the District Magistrate is here. He says he does not think there are grounds to proceed against him.

Pandit Govind Ballabh Pant : I quite know that. What I wanted to know is whether the District Magistrate agreed with the findings of the court in the case which was decided judicially or does he differ from those findings.

* 86 & 87. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

NEWSPAPERS.

* 88. **Pandit Govind Ballabh Pant :** What is the number of English, Hindi and Urdu newspapers published in this province? How many books were published in each language in this province during last year? How were the editors and authors distributed between the various communities?

The Hon'ble Sir Sam O'Donnell : The number of newspapers published in this province is as follows:—

English	..	..	..	..	..	93
Urdu	..	..	..	..	..	219
Hindi	..	..	..	..	..	237

The distribution of editors between the various communities is—

Hindus	..	..	..	..	58 per cent.
Muslims	..	..	..	..	34 „
Europeans and Americans	..	..	..	..	5 „
Indian Christians	..	..	..	..	3 „

The number of books published in English, Urdu, and Hindi in this province during the year, 1926 is given below—

English	..	..	..	..	189
Urdu	..	..	..	..	436
Hindi	..	..	..	..	1,681

For the names of the authors, the communities to which they belong and any other information required the honourable member is referred to Part IV of the *United Provinces Government Gazette*, dated July 24, 1926, September 25, 1926, January 22, 1927, and April 16, 1927.

MUSSOORIE-RAJPUR MOTOR ROAD.

* 89. **Pandit Govind Ballabh Pant**: How many miles of the Mussoorie-Rajpur motor road are ready and how many have yet to be made? What is the estimated cost? When will the road be completed? What amount has already been spent on this road?

The Hon'ble Nawab Muhammad Yusuf: The total length of the proposed cart road from Rajpur to Mussoorie is $14\frac{1}{2}$ miles, and the estimated cost is Rs. 13,27,548. Out of this length $9\frac{1}{2}$ miles have been completed between Upper Rajpur and Bhatta. the diversion round Rajpur, $1\frac{1}{2}$ miles long, will be passible for traffic in March, 1928, but will not be entirely completed until after the rains of 1928. The extension beyond Bhatta, $3\frac{1}{2}$ miles up to the bridle path, has not yet been taken in hand, the estimate being under preparation. The date of completion of this length must depend on the grant of funds by the Council. The expenditure to date is approximately Rs. 8,62,300.

Thakur Manjit Singh Rathor: May I ask if it is the intention of the Government to bring before this Council a demand for the remaining Rs. 4,72,000 in the next budget?

The Hon'ble Nawab Muhammad Yusuf: Yes.

RECRUITMENT ON A COMPETITIVE BASIS IN SERVICES.

* 90. **Pandit Govind Ballabh Pant**: Which services are at present recruited on a competitive basis? In which of them is competition preceded by selection? How many candidates offered themselves and how many were allowed to compete in each and how many were ultimately taken in?

The Hon'ble Sir Sam O'Donnell: The Government of India regulate recruitment to the All India services. As regards provincial services, direct recruitment to the United Provinces Civil (Executive) Service is made chiefly by means of a competitive examination. In 1925 one hundred candidates appeared, of whom six were taken. In 1926 eighty nine candidates appeared, of whom four were taken. The system of recruitment for the United Provinces Medical Service may be regarded as based on competition, as the first two candidates who pass out of the Medical College are appointed to that service. No other service is recruited by means of a competitive examination. As regards the subordinate services, except that there is a competitive examination for the admission of candidates to the Qanungo school, Hardoi, no other service is recruited by competition.

Pandit Govind Ballabh Pant: Are there any services in which competition is preceded by selection?

The Hon'ble Sir Sam O'Donnell: Does the honourable member refer to the provincial services?

Pandit Govind Ballabh Pant: My question was what services are at present recruited on the competition basis, whether provincial or subordinate I do not mind.

The Hon'ble Sir Sam O'Donnell: I must ask for notice.

Pandit Govind Ballabh Pant: The notice is already there.

The Hon'ble Sir Sam O'Donnell: As regards the All-India services, as I have said, that is a matter for the Government of India. I do

not remember any case of the provincial services in which there is a preliminary selection.

Pandit Govind Ballabh Pant : Are there any subordinate services in which competition is preceded by selection ?

The Hon'ble Sir Sam. O'Donnell : I do not think so : I am speaking from memory.

Pandit Govind Ballabh Pant : Is it a fact that in cases in which there is a competition every person who applies for competition is allowed to appear ?

The Hon'ble Sir Sam. O'Donnell : There may be qualifications, e.g. a man may have to pass a certain standard and a medical test and so on. Otherwise I do not remember any other qualifications.

Pandit Govind Ballabh Pant : May I know if there is any selection of candidates for the rangers' examination.

The Hon'ble Sir Sam. O'Donnell : The honourable member is correct about that. I do not deal with the Forest service and I did not know.

Pandit Govind Ballabh Pant : Is it compatible with the idea of competition that the selection should precede competition.

The Hon'ble Sir Sam. O'Donnell : I must ask for notice of that question, which, of course, will be answered by the Hon'ble the Home Member who deals with Forests.

Pandit Govind Ballabh Pant : Is it a fact that only those persons are allowed to compete who are not recruited in the preliminary selection ?

The Hon'ble Sir Sam. O'Donnell : Yes.

Pandit Govind Ballabh Pant : As a matter of general principle I put it to the Government whether in cases where recruitment is by a competitive test is it proper that selection should precede the test ?

The Hon'ble the President : The honourable member had put the question " which services are at present recruited on a competitive basis ? In which of them is competition preceded by selection ? " This question has been answered.

Mr. C. Y. Chintamani : Referring to the last sentence of the answer is it a fact that there is a competitive examination for excise inspectors ?

The Hon'ble Sir Sam. O'Donnell : Not at present, I am told.

Mr. C. Y. Chintamani : Since when has it been abolished ?

The Hon'ble Sir Sam. O'Donnell : I ask for notice.

Mr. C. Y. Chintamani : For what reasons has it been abolished ?

The Hon'ble Sir Sam. O'Donnell : I ask for notice, I do not deal with Excise.

Bai Bahadur Lala Mathura Prasad Mehrotra : Is the Government aware that selection is preceded by a competitive examination in the appointment of inspectors in the Co-operative department ?

The Hon'ble Sir Sam. O'Donnell : There is no competitive examination for inspectors in the Co-operative Society.

Rai Bahadur Lala Mathura Prasad Mehrotra : Was there no competitive examination ? Is the honourable member quite sure ?

The Hon'ble Sir Sam O'Donnell : I am told so.

JAIL MANUAL.

* 91. **Pandit Govind Ballabh Pant :** (1) Has the revised Jail Manual been published ? (2) When was it sent to press, when was the proof copy received, when was the proof sent back after correction and when was it got back in the final shape ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (1) Government hope that the Jail Manual will be ready by the end of this month.

(2) Manuscript was sent to the press for first proofs from time to time between January 1 and July 14, 1927, and first proofs were received between February 16 and August 10. The first proofs were returned to the press for second proofs between May 5 and August 24, and second proofs were received between May 18 and August 27. The second proofs were returned to the press for the third or final proofs between September 9 and October 10, and the final proofs have been received back for examination in instalments beginning from October 8, 1927.

Babu Bhagwati Sahai Bedar : When will the Jail Manual be finally ready for use and sale ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the first part of the reply.

Pandit Govind Ballabh Pant : Is it a fact that the first proofs had not been received completely during the time the Council sat on the last occasion at Naini Tal ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have given all the dates in the reply and the information asked for by the honourable member will be borne out by them. I cannot remember all the dates.

Pandit Govind Ballabh Pant : Is it a fact that on the day there was discussion on the publication of the Jail Manual for criticism before its final printing the first proofs had not been fully received ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Well, I do not know what was the date on which the matter was discussed in the Council. The honourable member can know by reference to the reply and the Council proceedings.

Pandit Govind Ballabh Pant : Is it a fact that the Council met at Naini Tal on or about June 30 ? . . .

The Hon'ble the President : I may point out that the honourable member seems to be arguing with the Hon'ble the Home Member. The answer is there and the honourable member can infer from it.

* 92. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PATWARIS IN HILL PATTIS OF KUMAUN.

* 93. **Pandit Govind Ballabh Pant :** (a) What is the pay of patwaris in the hill pattis of the Kumaun division ?

(b) What are their duties? In what respects do their duties differ from those of the patwaris in other parts of the province?

(c) Do the Government propose to increase their pay in the near future?

The Hon'ble Sir Sam O'Donnell :

(a) 16 patwaris on Rs. 20 per mensem.

37	„	„	22	„
43	„	„	24	„
87	„	„	26	„

(b) They collect Government revenue, investigate certain classes of criminal cases, and perform police duties in their circles where there are no regular police. These duties are not performed by patwaris in the plains districts. Their work in connexion with land records proper is, however, much simpler and lighter than that of the patwaris in the plains.

(c) No. Their pay was increased only in 1921, when the scale in force before was doubled.

Pandit Govind Ballabh Pant : Is the area of a patwari's circle on an average 100 square miles?

The Hon'ble Sir Sam O'Donnell : That I do not know.

Pandit Govind Ballabh Pant : Is it a fact that a patwari has to perform all the police duties in his circle?

The Hon'ble Sir Sam O'Donnell : He performs a certain number of duties.

Pandit Govind Ballabh Pant : Are there any which he does not perform?

The Hon'ble Sir Sam O'Donnell : The honourable member knows much more than I know. I only know that there are some duties which he has to perform.

Pandit Govind Ballabh Pant : Considering that he has got to perform all these police duties and all the revenue duties as well as a number of forest and executive duties, does the Hon'ble Finance Member not think that the pay he is getting at present is not adequate and that he is perhaps not very safe?

The Hon'ble Sir Sam O'Donnell : His pay was recently doubled, and although he has to perform police duties, it is a well-known fact that in the hill districts crime is very light.

Pandit Badri Dutt Pande : Is it the intention of the Government to grant him some horse allowance?

The Hon'ble Sir Sam O'Donnell : My own impression is that a horse would not be of much use to him.

Pandit Govind Ballabh Pant : Does he get any allowance for his quarters?

The Hon'ble Sir Sam O'Donnell : I do not think so. I imagine he has his own ancestral house.

Pandit Govind Ballabh Pant : Is it not a rule that a man should not be engaged in a circle where his own ancestral home is situated?

The Hon'ble Sir Sam O'Donnell : Perhaps that is so; but at any rate I have never heard that they experience any difficulty in getting a house.

Pandit Govind Ballabh Pant : Does he get any travelling allowance when he goes to the headquarters or when he goes out on his official duties?

The Hon'ble Sir Sam O'Donnell : No, I do not think so; even in the plains he does not get any travelling allowance though he has some times to travel 40 or 50 miles to go to the headquarters.

Pandit Govind Ballabh Pant : Is it not a fact that a patwari has mostly to discharge his duties in the villages of his large circle where he has generally to go for the purpose of investigation and other work?

The Hon'ble Sir Sam O'Donnell : I suppose he does go out on police investigations, but crime is lighter in the hills.

BAREILLY RIOT.

* 94. **Maulvi Zahur-ud-din :** Is it a fact that a few days before August 28, 1927, an order under section 144, Cr. P. C., was issued at Bareilly prohibiting meetings of more than ten persons within a radius of five miles of Bareilly?

* 95. If so—

- (a) by whom was it issued ;
- (b) what was the occasion for issuing it ;
- (c) on whom was it served ?

* 96. Will the Government be pleased to place a copy of the aforesaid order on the table ?

* 97. Was it thereafter rumoured that a public meeting was to be held at Dohna village outside the prohibited limits?

* 98. Was any meeting actually held there?

* 99. (a) Did the C. I. D. or the civil police go to the spot?

(b) What was their report ?

* 100. Did the local authorities make any inquiry afterwards about that meeting? If so, with what result?

* 101. Is it a fact that a meeting of selected persons was held on the same or the next day in mohalla Shahamatganj, Bareilly?

* 102. If so—

- (a) what was the number of those who attended it ;
- (b) people of what community attended it ;
- (c) what was the object of the meeting ;
- (d) what persons spoke in the meeting ;
- (e) was any programme for the then coming *Kans Lila* procession discussed or settled there ?

* 103. Had the local authorities any previous notice of this meeting?

* Was there any C. I. D. officer or constable present in the meeting? If so, what is his name?

- * 105. **Maulvi Zahur-ud-din:** Did he take notes there and then? If so, what is their sum and substance?
- * 106. If the answer to the three preceding questions be in the negative, is the Government now aware of that meeting? If so, what were its proceedings?
- * 107. Is it a fact that a *Lila* procession was taken out on August 28, 1927?
- * 108. Who applied for the licence for this *Lila* procession?
- * 109. What was the name given to this *Lila* procession in the application?
- * 110. What was the name given to this very procession in the application of the previous eight or ten years?
- * 111. By what name is it mentioned in the magisterial or the police records of the past eight or ten years?
- * 112. Did the Bareilly authorities issue any licence for the above procession? If so, on what date and by whom was it issued?
- * 113. What were its terms and conditions?
- * 114. Will the Government be pleased to place a copy of the licence on the table?
- * 115. Is it a fact that the licence laid down a condition that the procession should be clear of the Jasauli *nala* by 7 p.m.? If so, what was the object of the condition?
- * 116. How far is the Malukpur mosque away from the end of the Jasauli *nala*? Where does the Rohilkhand and Kumaun Railway line pass over it?
- * 117. (a) Is it a fact that there is a mosque alongside the *nala* close to the Malukpur police station?
- (b) Is it a fact that from this mosque down to the end of the Jasauli *nala* there are four or five mosques alongside it?
- * 118. Did the local authorities make any arrangements that the *maghrīb* prayers in these mosques were not to be disturbed by the procession? If so, what were those arrangements?
- * 119. Did they take any steps for the above purpose when the procession was actually passing by the mosques?
- * 120. What magistrate or magistrates were in charge of the procession?
- * 121. From what place to what place was the City Magistrate Mr. Chakravarty in charge of the procession?
- * 122. To whom did he hand over charge?
- * 123. What were the duties and responsibilities of these magistrates?
- * 124. What senior police officer was in charge of the police escorting the procession?
- * 125. What were his duties and responsibilities?
- * 126. Is it a fact that the procession was proceeding late when it reached the Malukpur police station?

*127. What was the actual time when it reached there?

*128. How far away is the Malukpur police station?

*129. Is it a fact that Mr. Chakravarty, City Magistrate, handed over the charge of the procession at the above police station to Mr. Ram Babu Saxena?

*130. Was any time noted down when the charge was handed over? If not, why not?

*131. (a) What steps, if any, were taken by the above two magistrates or the police officers in charge to make the procession proceed punctual to the time fixed, and (b) with what result?

The Hon'ble Sir Sam O'Donnell: *94 to *131. The honourable member is referred to the answer given to Council questions Nos. 138 to 143 for November 2, 1927.

Copy of starred questions nos 138 to 143 asked by KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB, and answers given thereto on November 2, 1927.

QUESTIONS.

*133. (1) Is it a fact that on August 28, 1927, the procession of *Rajgaddi* was to march through the Bareilly town and the important place *en route* was Malukpur mosque?

(2) Did the District Magistrate of Bareilly provide for the procession to pass this mosque before the *maghrib* prayers?

(3) Were the City Magistrate Mr. Chakravarti and Sub-Inspector Jumna Prasad put in charge of this procession?

(4) Was the procession also accompanied by mounted guards under a Subedar? What is the name of this Subedar and what was the strength of this guard?

*139. (1) Did the procession pass the mosque before the *maghrib* prayers?

(2) If not, why was the order of the district magistrate not carried out by the magistrate in charge?

*140. (1) Was there any firing before the mosque and who issued orders for firing?

(2) Were any shots fired at the mosque? If so, by whom?

(3) Were any buckshots picked from the walls of the mosque?

(4) How many rounds were fired?

(5) How many Muslims died as a result of this firing and how many were wounded from the same cause?

*141. (1) Is it a fact that Sub-Inspector Jumna Prasad closed the gate of the mosque shutting the Muslims who were inside the mosque for their *maghrib* prayers?

(2) Were these Muslims arrested subsequently? How many of them were arrested and on what charge?

*142. Is it a fact that a week before this incident the Muslims sent a registered application to the district magistrate complaining against Sub-Inspector Jumna Prasad for inciting chamars to use the wells in the city used by the Muslims?

*143. Why did the district magistrate, the superintendent of police or the kotwal not accompany this procession?

ANSWER.

As a number of cases connected with these riots are pending in court, Government do not think it fitting to make any statement during the pendency of such cases.

Khan Bahadur Hafiz Hidayat Husain: I quite see, Sir, that under the standing orders no questions can be asked with reference to matters which are *sub judice*. The only reason for this is that the merits of the case may not be adjudged beforehand while the case is still under adjudication by a court of law. But here there are certain things on which

information is wanted in which the merits cannot be adjudged. In the circumstances, we think that we are entitled to ask the Government for a statement.

The Hon'ble Sir Sam O'Donnell: My point is that questions of fact may come before the courts directly or indirectly. The courts may have to deal with questions whether such and such an occurrence took place or not and so on and that being so, I think it is undesirable, while cases are pending, to make any statement.

Maulvi Zahur-ud din: Under what rule is this statement being withheld?

The Hon'ble Sir Sam O'Donnell: There is no rule. Government exercise their discretion in answering questions.

*132 to *139. **Chaudhri Mangat Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

*140 to *145. **Thakur Manjit Singh Rathor:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MEMORIAL FROM PATWARIS OF KUMAUN.

*146. **Pandit Badri Dutt Pande:** (a) Have the patwaris of the Kumaun division submitted a memorial to the Government for increase of pay?

(b) If so, what action has Government taken in the matter?

The Hon'ble Sir Sam O'Donnell: Government have received an advance copy of a memorial from the patwaris of the Garhwal district. They are awaiting receipt of the copy which is coming through the Deputy Director of Land Records.

OFFICER-IN-CHARGE OF PATWARI SCHOOL, ALMORA.

*147. **Pandit Badri Dutt Pande:** (a) Who is the officer-in-charge of the patwari school at Almora?

(b) What are his qualifications?

The Hon'ble Sir Sam O'Donnell: (a) Thakur Jagat Singh.

(b) Peshkar, Kumaun division—holds certificate of Qanungo Training school and has recently received practical training in police work.

Pandit Badri Dutt Pande: Is it the intention of the Government to place this patwari school under a high officer of the Police department who has passed through the training school of Moradabad?

The Hon'ble Sir Sam O'Donnell: I must ask for notice of that.

DEBARRING INSPECTING STAFF OF EDUCATIONAL DEPARTMENT FROM SITTING IN UNIVERSITY EXAMINATIONS.

*148. **Pandit Badri Dutt Pande:** (a) Are members of the inspecting staff of the Educational department now debarred from sitting privately for the university examinations?

(b) Were they allowed to go up privately for the university examinations?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Yes, by the Allahabad University previous to its reorganization.

BAMNI BRIDGE ON BADRINATH ROAD IN GARHWAL.

*149. **Pandit Badri Dutt Pande :** Is it the intention of the Government to remove the Bamni bridge on the Badrinath road in the Garhwal district to some other place? If so, will it in any way inconvenience the pilgrims?

The Hon'ble Nawab Muhammad Yusuf : It is not the intention of Government to change the site of the bridge, if the cost of its reconstruction and subsequent maintenance is met from private contributions.

THAKUR TILOK SINGH, PATWARI OF MALLA DANPORE, ALMORA.

* 150. **Pandit Badri Dutt Pande :** (a) How long has Thakur Tilok Singh been patwari in patti Malla Danpore of the Almora district?

(b) What were the names and relations of the three patwaris who preceded him in that patti?

(c) Is Thakur Prabeen Singh, patwari of the Bichala Danpore, in any way related to the patwari of the Malla Danpore?

The Hon'ble Sir Sam O'Donnell : (a) Since July 1, 1916.

(b) (1) Lachman Singh, cousin of Thakur Trilok Singh, patwari.

(2) Lal Singh Papra not related to Trilok Singh.

(3) Ratan Singh Takuli, cousin of Trilok Singh.

(c) Yes; his brother.

Pandit Badri Dutt Pande : Are these not hereditary patwaris?

The Hon'ble Sir Sam O'Donnell : That I really do not know.

CONTRACT OF LAC OF DUDHI ESTATE IN MIRZAPUR.

* 151. **Pandit Shri Sadayatan Pande :** For what period has the contract of lac of the Dudhi estate forest in the Mirzapur district been given to Messrs. Rogers, Pyatt and Company, Limited, and on what annual sum?

The Hon'ble Sir Sam O'Donnell :

			Rs.
From July 1, 1923 to July 1, 1925	..	..	10,500 per annum.
From July 1, 1925 to July 1, 1928	..	..	13,000 ..
From July 1, 1928 to July 1, 1931	..	..	16,000 ..

* 152. **Pandit Shri Sadayatan Pande :** Is it a fact that the *sapurdars* and the residents of the estate are entitled to have first claim to bid and take the contract?

The Hon'ble Sir Sam O'Donnell : No.

* 153. **Pandit Shri Sadayatan Pande :** Why were not the *sapurdars* and others allowed to bid at the last auction sale?

The Hon'ble Sir Sam O'Donnell : The system of giving a number of separate leases of lac-bearing trees to mahajans has been tried in the past

and found unsatisfactory, since they used to charge high rates of interest on brood-lac advanced to the ryots, who thus received inadequate remuneration. Dealings with the *sapurdars* proved equally unsatisfactory as they had not the necessary capital and were as improvident as the ryots themselves. A system of dealing with a large number of leases, moreover, threatened to ruin the lac industry, as these persons sought quick returns for their outlay and stripped the trees of brood-lac to obtain every ounce of shellac possible. The calling for tenders would have resulted in the lease money being enhanced to an uneconomic figure and (if the highest bid were accepted) in the lease going to a combine of the very persons whose management in previous years had been found unsatisfactory.

* 154. **Pandit Shri Sadayatan Pande:** When does the lease expire?

The Hon'ble Sir Sam O'Donnell: July, 1931.

* 155. **Pandit Shri Sadayatan Pande:** Will the Government be pleased to state if they intend to issue orders to the Collector of Mirzapur to allow the *sapurdars* and others to bid at the next auction sale?

The Hon'ble Sir Sam O'Donnell: No.

Pandit Shri Sadayatan Pande: Does the Government know that persons who are neither *sapurdars* nor residents of the estate offered bigger sums than Rs. 16,000 at the last arrangement?

The Hon'ble Sir Sam O'Donnell: No, I am not aware of that; I have not got the papers here.

Pandit Shri Sadayatan Pande: Will the Government be pleased to state whether they are prepared to allow people who are neither residents of Dudhi estate nor *sapurdars* to bid when the present lease expires?

The Hon'ble Sir Sam O'Donnell: The lease will expire in July, 1931. That will be for our successors to say.

Pandit Shri Sadayatan Pande: Does the Government know that there are people who are ready to offer more than Rs. 16,000 for the present lac forest?

The Hon'ble Sir Sam O'Donnell: No, I am not aware of that; but in any case one would require to be satisfied that the people would pay this sum and run the industry on right lines.

Pandit Shri Sadayatan Pande: Will the Government be prepared to accept Rs. 50,000 if it is offered just now?

The Hon'ble Sir Sam O'Donnell: As I have already said, the lease is up to July, 1931.

Pandit Shri Sadayatan Pande: Will the Government be pleased to explain why this arrangement was arrived at?

The Hon'ble Sir Sam O'Donnell: I have explained that in the answer.

Pandit Shri Sadayatan Pande: That has been explained, but I want to know why that arrangement was made for successive years?

The Hon'ble Sir Sam. O'Donnell : No firm would take such a lease for one year. They will come forward only if it was given for a series of years.

Babu Sampurnanand : Does the Government know that the *sapurdars* of the estate made representations to Government through the Secretary to Government in the Forest department?

The Hon'ble Sir Sam O'Donnell : They may have made representations, but the reason for not giving the contract to them is given in answer to question No. 153. Government acted on the advice of the Board of Revenue in the matter.

PAY TO M. A'S. IN URDU AND HINDI APPOINTED AS TEACHERS IN
GOVERNMENT INTERMEDIATE COLLEGES.

* 156. **Pandit Shri Sadayatan Pande :** Will the Government be pleased to answer the following questions :—

- (a) Is it a fact that three M. A's., two in Urdu and one in Hindi, have been appointed assistant teachers in the Government intermediate colleges?
- (b) What is their scale of pay?
- (c) What is the scale of pay offered to the teachers in English and other subjects?
- (d) Is it a fact that some of the M. A's. in Urdu and Hindi refused the offer of Rs. 100—10—300 as a mark of protest?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) Rupees 100—10—300.

(c) Rupees 200—25—450 to teachers in English, Mathematics, Physics, Chemistry, Biology, History and Economics. Rupees 100—10—300 to teachers in Arabic, Persian and Sanskrit.

(d) Some of the candidates did not accept the posts.

Pandit Shri Sadayatan Pande : Why has not an impetus been given to the Hindi professors who have passed the M. A.?

The Hon'ble Rai Rajeshwar Bali : The impetus has been given when we were making these appointments?

Pandit Shri Sadayatan Pande : Why professors qualified in other subjects have been given preference and not the Hindi M. A's.?

The Hon'ble Rai Rajeshwar Bali : We cannot have a similar scale for all?

ASSESSORS.

* 157. **Thakur Hukum Singh :** Will the Government be pleased to state—

- (a) What travelling allowance is allowed to the assessors when they have to attend the sessions judge's court under the present rules?

(b) Can the assessors be regarded as first class officers with regard to their travelling allowance?

(c) If not, what class they may be ranked in with regard to their travelling allowance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

(a) The honourable member is referred to paragraphs 893 and 896 of the Manual of Government Orders.

(b) and (c) Under the rules it is in the discretion of the presiding judge to determine the class of individual assessors according to their rank and position.

*** 158. Thakur Hukum Singh :** (1) Is it a fact that the assessors are not allowed to sit on the dais of the court and that they do not get table and stationery on their seats?

(2) If so, will the Government be pleased to allow the assessors to sit on the dais of the court and make arrangements for the supply of tables and stationery on their seats?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The practice no doubt differs in different places, according to the amount of accommodation available, but the more usual practice is to provide seats for the assessors on the dais of the court. As regards the supply of tables and stationery, Government have received no complaints on the subject and presiding officers would no doubt endeavour to comply with any reasonable request which might be made to them.

DRAINAGE SYSTEM AT MUTTRA.

*** 159. Thakur Hukum Singh :** (1) Is it a fact that there are a number of villages in district Muttra, which on account of having no proper drainage system, become flooded in the rainy season, their communication from outside is cut off and a certain area becomes unfit for cultivation and the climate becomes malarial?

(2) If the answer is in the affirmative, what steps do Government propose to take to remove this difficulty?

The Hon'ble Sir Sam O'Donnell : There is local flooding after heavy rain in some villages of the Muttra district, but it nowhere assumes serious proportions unless a dam bursts in the neighbouring Indian States.

*** 160. Raja Raghuraj Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MUHARRAM RIOT, BAREILLY.

*** 161. Pandit Bahas Bihari Tiwari :** With reference to the occurrences on the night of July 10, 1927, and the days following at Bareilly, will the Government be pleased to supply the following information :—

(i) Was any order under any provision of the law promulgated by the District Officer, Bareilly, directing the local Arya Samajists to abstain from playing music in connexion with their usual weekly Sunday service during the last Muharram?

(ii) Was any such order promulgated ever in the past years?

(iii) If the answer to (i) and (ii) be in the affirmative, will the Government lay a copy of the same on the table?

* 162. (a) (i) Was any programme of the *Muharram* procession settled this year by the district authorities?

(ii) Was it in any material respect different from the similar programme of last year or of any of the immediate few preceding years?

(b) (i) Is it a fact that on July 10, 1927, the *takht* of Maddu was the principal item of the *Muharram* procession?

(ii) At what time was the *takht* directed to reach the town hall?

(iii) At what time did it actually reach that place?

(c) (i) Is it a fact that the Arya Samaj temple is not situated on the public road on which the *Muharram* procession passed, but is situated in a bye-lane?

(ii) Is it a fact that a number of Arya Samajists were arrested by the police inside the temple on the night of July 10, after Maddu's *takht* had passed the town hall? If so, under what particular officer's orders, and at what hour?

(iii) Is it a fact that of the arrested persons one was a B.A., LL.B., another a teacher in a high school and the third a vaidya, being the adopted son of a titled gentleman?

(d) Is it a fact that while in the temple the arrested persons offered to give bail to the police but it was not accepted?

*163. (a) Is it a fact that the persons arrested on the night of July 10, 1927, in the Arya Samaj *mandir* were kept confined in the Baradari police station lock-up?

(b) (i) Is it a fact that the sub-inspector then ordered the aforesaid arrested persons to remove their sacred Brahminical threads?

(ii) Is it a fact that the arrested persons declined to do so and that thereupon the sub-inspector had them forcibly broken?

(iii) Is it a fact that a few days after a police subordinate in the same police station had the sacred Brahminical threads of another batch of Hindu accused similarly removed on the occasion of their admission into his lock-up?

(c) (i) Will the Government state the names of its subordinates under whose orders the sacred threads were removed on the two occasions?

(ii) Does the Government approve of their action?

The Hon'ble Sir Sam O'Donnell: For the reasons given in reply to parts (2) and (3) of question No. 4 asked by the honourable member yesterday, Government are unable to make any statement in the matter.

KOTWAL, BAREILLY.

*164. **Pandit Rahas Bihari Tiwari:** (i) How long has Khan Sahib Shafiq-ul-Hasan held the office of Kotwal, Bareilly?

(ii) Has he any previous experience of communal riots?

(iii) and (iv) [Postponed at the request of Government till the first day of the next meeting of the Council.]

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:
(i) Since March 11, 1923.

(ii) No.

GOVERNMENT HIGH SCHOOL BOARDING HOUSE BUILDING, SHAHJAHAN-
PUR.

***165. Thakur Sadho Singh:** Is the Government aware that the urgent necessity of additions to the existing building of the Government high school boarding house at Shahjahanpur was brought to the notice of the Minister of Education some three years ago?

(b) If so, what action has so far been taken in the matter? What is the cause of so much delay?

The Hon'ble Rai Rajeshwar Bali: (a) Yes.

(b) A preliminary project has been prepared and administratively approved. There has been no avoidable delay.

***166. Thakur Sadho Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MURDER OF RAI BAHADUR BAHADUR SINGH OF PILIBHIT.

***167. Thakur Sadho Singh:** What action has so far been taken for inquiry into the recent murder of late Rai Bahadur Bahadur Singh of Pilibhit?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The Criminal Investigation Department are making inquiries.

NUMBER OF STUDENTS WHO HAVE PASSED THE L. AG. DIPLOMA COURSE.

***168. Thakur Sadho Singh:** (a) How many students have passed the L. Ag. diploma and two years' course, respectively, during the last three years from Cawnpore college?

(b) How many students have passed the two years' course from Bulandshahr during this period? How many of them have received Government employment, and in what order of preference?

(c) How many of them have settled on private farms of their own or of others?

(d) Have the Government any scheme in mind to settle these passed students on small farms as independent farmers?

The Hon'ble Thakur Rajendra Singh: (a) 47 and 57.

(b) 56. One in the last three years (i.e. in 1924). He was third in order of merit.

(c) Four students of L. Ag. course and five of two years' course are known to have settled on private farms. With regard to Bulandshahr, students are not admitted unless they have land to return to. Very few applications are received for employment and it is, therefore, inferred that they return to rural occupations.

(d) The answer is in the negative.

Questions time having expired, no further questions were called.

MEDICAL OFFICER FOR GOVERNMENT HIGH SCHOOL BOARDING HOUSE,
BAREILLY.

***169. Thakur Sadho Singh:** (a) Is there any medical officer attached to the Government high school boarding house, Bareilly?

(b) Are the boarders supplied medicine free of cost ?

(c) Do they subscribe anything for this purpose ?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) The boarders are supplied with simple drugs free of cost.

(c) No. But they subscribe annas four per mensem for medical attendance.

DEATHS OF CHILDREN CAUSED BY WOLVES AT BAREILLY.

*170. **Thakur Sadho Singh :** (a) How many deaths of children from wolves, in Bareilly district, during the last two years have come to the notice of the authorities ?

(b) Is it a fact that the Collector of Bareilly is disinclined to give rewards for killing such animals ? If not, how much money has he spent in this direction ?

(c) Did he take any action towards killing of such man-eating wolves ?

The Hon'ble Sir Sam. O'Donnell : (a)

1925 34

1926 85

(b) No. Rupees 42 in 1926.

 " 34 in 1926.

(c) Yes. The usual reward has been doubled.

NAGINA MUNSIFI.

*171. **Hafiz Muhammad Ibrahim :** Will the Government be pleased to state if there is any prospect of an early construction of the new court house for the Nagina munsifi ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Government are not in a position to say when it will be possible to provide funds for the project.

*172. **Hafiz Muhammad Ibrahim :** Is it proposed to make some arrangement for the shelter of litigants in the vicinity of the new court house ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The question will be considered if and when funds are available.

*173. **Hafiz Muhammad Ibrahim :** Will the Government be pleased to state if any room for the additional court will be constructed along with the new court house ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*174. **Hafiz Muhammad Ibrahim :** Will the Government be pleased to state if they will be prepared to give a suitable part of the purchased site for the construction of the Bar rooms ?

*175. On what terms will this part be given ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : *174 and *175. The honourable member is referred to paragraphs 113 and 114 of the Manual of Orders of the Public Works department, Buildings and Roads Branch.

*176. **Hafiz Muhammad Ibrahim :** [*Withdrawn by the honourable member.*]

KHATAUNIS AND JAMBANDIS IN IRRIGATION DEPARTMENT.

***177. Hafiz Muhammad Ibrahim :** Is it a fact that recently some verbal or written instructions have been issued in the Irrigation department that *khataunis* and *jambandis* should be written in Nagri character?

The Hon'ble Sir Sam O'Donnell : No. On the recommendation of the Irrigation Board orders were issued in 1924 that the revenue staff would in future be required to know Nagri as well as the Persian characters.

***178. Hafiz Muhammad Ibrahim :** Is it a fact that previously the question of the preparation of all papers in Nagri was raised and it was settled that the practice will be confined to the Jhansi division only?

The Hon'ble Sir Sam O'Donnell : The principle that papers should be prepared in Hindi when so required, was accepted for the Jhansi division in 1924.

***179. Hafiz Muhammad Ibrahim :** Will the Government be pleased to state on what grounds this practice is now being extended to other divisions?

The Hon'ble Sir Sam O'Donnell : No orders for the extension of this practice have been issued, as Government are considering the advisability of introducing this system into other districts only where the Nagri character is almost exclusively used.

ANNUAL REPORTS ON THE WORK OF ZILADARS IN THE IRRIGATION DEPARTMENT.

***180. Hafiz Muhammad Ibrahim :** Will the Government be pleased to say who submits annual reports about the annual work of a zildar in the Irrigation department, the sub-divisional officer or the executive engineer?

The Hon'ble Sir Sam O'Donnell : Both.

***181. Hafiz Muhammad Ibrahim :** Will the Government be pleased to state why a sub-divisional officer is required to make such reports?

The Hon'ble Sir Sam O'Donnell : Because the zildar works directly under the sub-divisional officer.

***182. Hafiz Muhammad Ibrahim :** Is an executive engineer also required to make reports about the work of ziladars?

The Hon'ble Sir Sam O'Donnell : Yes.

***183. Hafiz Muhammad Ibrahim :** Has an executive engineer to base his report about a zildar's work on the remarks made by the sub-divisional officer?

The Hon'ble Sir Sam O'Donnell : The executive engineer's remarks are based not only on the sub-divisional officer's report but also on his own personal knowledge of the zildar's work which he sees in his tour and office inspections.

***184. Hafiz Muhammad Ibrahim :** If not, of what use is the sub-divisional officer's report?

The Hon'ble Sir Sam O'Donnell : Does not arise.

* 185. **Hafiz Muhammad Ibrahim:** Is it the duty of the sub-divisional officer to see if the silt, etc., are clear?

The Hon'ble Sir Sam O'Donnell: Yes.

* 186. **Hafiz Muhammad Ibrahim:** Is a ziladar required to make reports about the sub-divisional officer if he fails in this duty?

The Hon'ble Sir Sam O'Donnell: No.

* 187. **Hafiz Muhammad Ibrahim:** If so, is it not a fact that in view of the sub-divisional officer's influence over him on account of authority to make annual reports, a ziladar avoids making such reports against the sub-divisional officer?

The Hon'ble Sir Sam O'Donnell: Does not arise.

IRRIGATION WATER RATES.

* 188. **Hafiz Muhammad Ibrahim:** Under what rules, if any, do the irrigation officers charge water rates for the whole of a *chak* although as a matter of fact a portion of it is only watered?

The Hon'ble Sir Sam O'Donnell: In the case of rice irrigation the depth of water is so great that ordinary field *mends* cannot clearly define the fields actually irrigated and consequently such rice area is divided into *chaks* with fairly high *mends* enclosing each *chak*. When some fields in any *chak* are irrigated from canal water, the other fields in the *chak* also automatically get canal water and all such fields are charged for irrigation unless the cultivator puts in a higher *mend* along the *gul* to avoid canal water going into his field and applies to the executive engineer that he wants his field to be debarred from such *chak* irrigation. These rules have been relaxed in the case of Ghagar canal to develop irrigation at the recommendation of the Commissioner, Benares division.

TAX ON CIRCUMSTANCES AND PROPERTY IN CHANDPUR, DHAMPUR AND NAGINA MUNICIPALITIES.

* 189. **Hafiz Muhammad Ibrahim:** Will the Government be pleased to state if there is any intention on their part to replace the present tax on circumstances and property by octroi in the municipalities of Chandpur, Dhampur and Nagina? If not, why not? If yes, when?

The Hon'ble Nawab Muhammad Yusuf: The question of introducing octroi in the municipality of Chandpur in place of the tax on circumstances and property was considered in 1925 and was postponed pending discussion of the report of the Taxation Inquiry Committee. The question has not since been revived by the board.

The proposal of the Nagina municipal board for replacing the tax on circumstances and property by octroi is under consideration. No such proposal has been received from the municipal board of Dhampur.

* 190 and * 191. **Hafiz Muhammad Ibrahim:** [*Withdrawn by the honourable member.*]

* 192 to * 198. **Hafiz Muhammad Ibrahim:** [*Postponed at the request of the Government till the first day of the next meeting of the Council.*]

CONDUCT RULES FOR SCHOOL MASTERS.

* 192. **Hafiz Muhammad Ibrahim:** Will the Government be pleased to state if schoolmasters in government service are subject to the same conduct rules as are applicable to servants in other Government departments?

The Hon'ble Rai Rajeshwar Bali: Yes.

CLIQUE AMONG CLERKS OF BULANDSHAHR COLLECTORATE.

* 200. **Hafiz Muhammad Ibrahim:** Is it a fact that Mr. C. Howard, office inspector, reported to the Collector of Bulandshahr last year the existence of a certain clique among the ministerial officials of the Bulandshahr Collectorate? If so, was any action taken on the report? If not, why not?

The Hon'ble Sir Sam. O'Donnell: Yes. Transfers were made.

CLERKS IN IRRIGATION DEPARTMENT.

* 201. **Hafiz Muhammad Ibrahim:** Has the attention of the Government been drawn to G. O. No. 1050—3—72, dated August 4, 1911?

The Hon'ble Sir Sam O'Donnell: Yes.

* 202. **Hafiz Muhammad Ibrahim:** Is this order still in force? If so, will the Government be pleased to state in a tabular form how many Muslim and non-Muslim clerks there are in Government service in each of the divisions of the Irrigation Department in these Provinces?

The Hon'ble Sir Sam O'Donnell: Yes. A statement is laid on the table.

(See Appendix D, page 607.)

* 203. **Hafiz Muhammad Ibrahim:** What steps do the Government propose to take in compliance with the order referred to?

The Hon'ble Sir Sam O'Donnell: No further steps are considered necessary.

REGISTRATION INSPECTORS.

* 204. **Hafiz Muhammad Ibrahim:** (a) Do the Government intend to increase the number of registration inspectors? (b) If so, how many additional posts will be created and when?

The Hon'ble Nawab Muhammad Yusuf: (a) Yes.

(b) Subject to the vote of the Council four additional posts will be created with effect from April, 1926.

* 205. **Hafiz Muhammad Ibrahim:** Will the Government be pleased to state what is the period of deputation fixed for the inspectors of registration deputed from the provincial executive service? Do Government intend to increase this period?

The Hon'ble Nawab Muhammad Yusuf: Members of the provincial executive service appointed as inspectors of registration remain ordinarily on deputation for a minimum period of three years. No maximum period of deputation has been fixed.

REDUCTION OF RAILWAY FARES.

* 206. **Hafiz Muhammad Ibrahim** : Is it within the knowledge of the Government that railways have reduced their fares ?

The Hon'ble Sir Sam O'Donnell : The Government have no definite information, but believe that the rates have been slightly decreased for distances over 300 miles.

DOUBLE SECOND CLASS FARE TO SECOND-CLASS OFFICERS.

* 207. **Hafiz Muhammad Ibrahim** : If the answer to the preceding question is in the affirmative, do the Government propose to allow double second-class fare to all the second-class officers ?

The Hon'ble Sir Sam O'Donnell : The Government intend to re-examine the travelling allowance rates shortly.

* 208 and * 209. **Hafiz Muhammad Ibrahim** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RECRUITMENT OF SUB-REGISTRARS.

* 210. **Hafiz Muhammad Ibrahim** : How many sub-registrars were recruited last year ?

The Hon'ble Nawab Muhammad Yusuf : Eighteen.

* 211. **Hafiz Muhammad Ibrahim** : Was any preference given in selection to the sons and near relations of sub-registrars ? If not, why not ?

The Hon'ble Nawab Muhammad Yusuf : No.

* 212 and * 213. **Hafiz Muhammad Ibrahim** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 214. **Hafiz Muhammad Ibrahim** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CONTRIBUTION TOWARDS EDUCATION BY DISTRICT BOARD, BIJNOR.

* 215. **Hafiz Muhammad Ibrahim** : Is it a fact that the Bijnor district board increased their contribution to education last year on the distinct understanding that the Government grant would also be raised proportionately, failing which the district board would be entitled to cut down their contribution to the original amount ?

The Hon'ble Rai Bajeshwar Bali : No.

* 216. **Hafiz Muhammad Ibrahim** : If the answer to the preceding question is in the affirmative, are the Government asking the said board not to cut the contribution down to the original figure, although the Government have not given them a proportionately increased grant ? What are the reasons therefor ?

The Hon'ble Rai Bajeshwar Bali : Does not arise.

* 217. **Hafiz Muhammad Ibrahim** : Is it a fact that last year the Bijnor district board's allotment to the vernacular middle schools was raised owing to a mistake in calculations made by the educational department and that, though this mistake was rectified afterwards, the

allowmen had to be raised under departmental orders during the period in which the mistake remained unrectified?

The Hon'ble Rai Rajeshwar Bali : No.

* 28. **Hafiz Muhammad Ibrahim :** Is it a fact that now the standard for the Bijnor district board has been fixed on that raised allment? If so, why?

The Hon'ble Rai Rajeshwar Bali : No. Does not arise.

EXEMPTION FROM TOLL TAX AT NAINI TAL.

* 219. **Hafiz Muhammad Ibrahim :** Will the Government be pleased to state if any Government servants are exempt from the payment of the toll on the Kathgodam-Naini Tal motor road? If so, which? Why are not the Government employees of the Legislative Council so exempt?

The Hon'ble Nawab Muhammad Yusuf : (a) and (b) A list of exemptions is placed on the table. The Government are now considering proposals to abolish most of the exemptions.

(c) Their case for exemption has never been represented.

(See Appendix E, page 639.)

LICENSING BOARDS.

* 220. **Hafiz Muhammad Ibrahim :** In how many districts of these provinces, at present, do licensing boards exist?

The Hon'ble Thakur Rajendra Singh : Twenty-two.

* 221. **Hafiz Muhammad Ibrahim :** Is there any intention on the part of the Government to establish such boards in all the remaining districts of these provinces? If so, when? If not, why not?

The Hon'ble Thakur Rajendra Singh : It has been the policy of Government to increase the number of licensing boards gradually. It is not practicable to establish them in all the districts at once.

* 222 and *223. **Hafiz Muhammad Ibrahim :** [Postponed at the request of Government till the first day of the next meeting of the Council.]

BOARDING-HOUSE OF GOVERNMENT INTERMEDIATE COLLEGE, ALMORA.

* 224. **Pandit Badri Dutt Pande :** (a) Is it a fact that in the old boarding-house of the Government Intermediate College, Almora, small rooms are allotted to more than one student?

(b) Is it a fact that there is very little accommodation in the boarding house of the Government Intermediate College, Almora?

The Hon'ble Rai Rajeshwar Bali : (a) Yes.

(b) No.

* 225. **Pandit Badri Dutt Pande :** Is it the intention of the Government to build a new boarding-house for the Government Intermediate College at Almora?

The Hon'ble Rai Rajeshwar Bali : The matter will be considered when Government have provided the more urgent class-room accommodation required by the college.

* 226. **Pandit Badri Dutt Pande** : How many students sought admission to the XI class of the Government Intermediate College, Almora, in July, 1927, and how many (if any) were refused admission for want of seat?

The Hon'ble Rai Rajeshwar Bali : Thirty ; none.

ANOMALY IN RAILWAY RATES BETWEEN KATHGODAM AND HALDWANI.

* 227. **Pandit Badri Dutt Pande** : Reference answer to starred question No. 22 of March 4, 1927, has Government inquired into the anomaly of differences in railway rates between Kathgodam and Haldwani ? If so, with what results ?

The Hon'ble Sir Sam O'Donnell : Yes. The matter is still under correspondence with the Agent, Rohilkund and Kumaun Railway.

SAPAI DHARA COMPOUND OF NAINI TAL JAIL.

* 228. **Pandit Badri Dutt Pande** : Will the Government be pleased to issue orders that no convicts and convict warders of the Naini Tal Jail should enter the Sapaidhara compound ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

* 229. **Pandit Badri Dutt Pande** : Is the Member of the Legislative Council of the Almora district member of the local Advisory Committee for Excise ?

The Hon'ble Thakur Rajendra Singh : Yes.

GRANT TO EUROPEAN SCHOOLS AT NAINI TAL.

* 230. **Pandit Badri Dutt Pande** : Will the Government be pleased to state in detail the total amount of the grant given to the different European schools at Naini Tal in 1925-26 and 1926-27 ? Also separately to Indian schools at Naini Tal the same year ?

The Hon'ble Sir Sam O'Donnell : A statement is placed on the table of the honourable member.

(See Appendix F, page 611.)

* 231. **Pandit Badri Dutt Pande** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CART ROAD TO ALMORA AND BHOWALI.

* 332. **Pandit Badri Dutt Pande** : (a) What is the difference in miles between bridle and cart road from Khairna to Almora, Naini Tal to Bhowali ?

(b) Has Government made a survey and estimate of the cost of cart road direct to Almora and Bhowali from the places mentioned above ?

The Hon'ble Nawab Muhammad Yusuf : (a) Miles 31 and 13, respectively.

Khairna to Almora. Yes.

i Tal to Bhowali. No.

*233 to 235. **Babu Ganesh Shankar Vidyarthi:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MANMATH NATH GUPTA AND VISHNU SHARAN DUBLIS PRISONERS OF THE KAKORI CASE IN NAINI JAIL

*236. **Babu Ganesh Shankar Vidyarthi:** (a) Is it a fact that Manmath Nath Gupta and Vishnu Sharan Dublis of Kakori case are put among the habitual prisoners at Naini jail?

(b) Are they not kept with each other?

(c) Is it a fact that Manmath has been given the work of cake-pounding?

(d) Is it a fact that he is not allowed any book?

(e) Is it a fact that he has no light in the night?

The Hon'ble Lieutenant Nawab Muhammad Ahmad Sa'id Khan:

(a) Yes.

(b) Manmath Nath Gupta is a juvenile convict and is therefore, confined in a different circle from Vishnu Sharan Dublis, who is an adult convict.

(c) The convict was placed on cake-pounding from August 24, 1927 to September 17, 1927, as a punishment for not doing his full task on spinning thread.

(d) Yes. As a punishment for attempting to send letters out of the jail, he is not allowed to have books. Previous to this he was permitted to have the use of books.

(e) Yes.

*237. **Babu Ganesh Shankar Vidyarthi:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PUBLIC HOLIDAY FOR THE BIRTHDAY OF LORD MAHABIR.

238. **Babu Ganesh Shankar Vidyarthi:** (a) Has any representation been made to the Government by any Jain body of the provinces to kindly sanction the birthday of Lord Mahabir, the Jain avatar, as a public holiday?

(b) If so, what decision have the Government reached in the matter?

The Hon'ble Sir Sam O'Donnell: (a) Yes, from the Honorary Secretary, Jain Sangathan Sabha, Agra.

(b) He was informed that Government regret they cannot accede to his request.

WORKING HOURS OF FACTORIES IN CAWNPORE.

*239. **Babu Ganesh Shankar Vidyarthi:** Are the Government aware that certain mills of Cawnpore have worked or are still working for eleven hours a day, and sometimes more, in contravention to the rules of the Factory Act?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The law does not prescribe any limit to the number of hours a factory may work.

*240. **Babu Ganesh Shankar Vidyarthi**: Is it a fact that no legal steps have been taken against such mills? If so, will the Government please state their reasons therefor? If not, will the Government state the steps, if any, taken against such mills from June 1, 1927 to September 30, 1927?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Does not arise.

* 241. **Babu Ganesh Shankar Vidyarthi**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

SCHOOLS FOR MILL EMPLOYEES' CHILDREN, CAWNPORE.

* 242. **Babu Ganesh Shankar Vidyarthi**: (a) Are the Government aware that there is scarcely any provision for the elementary education of the children of the mill-hands of Cawnpore, numbering no less than 65 thousand, barring a few schools of the British India Corporation?

(b) What do Government propose to do in the matter?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Schools are provided for employees' children by the following mills in Cawnpore:—

The Elgin Mills.

Mills owned by the British India Corporation and the Government Harness and Saddlery Factory.

The average daily number of employees in all classes of factories in Cawnpore during the year 1926 was 30,712, and of these nearly 13,000 are employees of the above mills. The municipality also has schools.

(b) The Indian Factories Act does not make it compulsory for a mill to provide a school for children, but as a matter of welfare work it is encouraged by this department.

INDUSTRIAL CHEMIST TO GOVERNMENT.

* 243. **Babu Ganesh Shankar Vidyarthi**: Will the Government be pleased to state—

(a) What are the duties and functions of the Industrial Chemist to the Government;

(b) who is the present incumbent of the post, and what are his technical qualifications and industrial experience;

(c) will the Government be pleased to place on the table a copy of the report of the official tours made by the said officer in order to find out the economical resources of these provinces in 1926-27 and a statement of the work done and tours made in the last five years;

(d) is it a fact that the present incumbent cannot devote all his time to his duties as Industrial Chemist as he has to do teaching work also as lecturer in applied chemistry at the Government Technological Institute and as the Superintendent of the hostel?

If so, when were all these posts amalgamated and what were the reasons for this?

The Hon'ble Thakur Rajendra Singh : (a) The duties of the Industrial Chemist are to answer technical inquiries and to analyse samples.

(b) The present incumbent is Mr. K. C. Makerji, M.Sc., A.I.C. (London). He has had three years' experience as a research scholar at Dacca College, three months' training in the Government Russia Distillery at Calcutta, and one year's experience in charge of K. C. Bose's Pharmaceutical Laboratory. Before obtaining his present post he was engaged in some important research work at the Technological Institute.

(c) This officer is not now expected to tour. His duties lie wholly in the laboratory.

(d) The duties of lecturer in applied chemistry at the Technological Institute were added to those of the Industrial Chemist in 1925, when the laboratories of the Industrial Chemist and that of the Institute were amalgamated on the recommendation of the Economy Committee. This officer has been doing the work of superintendent of the hostel for the last four years. He does that work voluntarily and out of office hours and it does not interfere with his duties.

FINES INFLICTED ON EMPLOYEES OF P. W. D. (IRRIGATION BRANCH), MAINPURI.

***244. Thakur Gulab Singh :** Will the Government be pleased to state the amount of fines inflicted in 1925, 1926, and up to September 30, 1927, on the employees of the Public Works department, Irrigation branch, Mainpuri division, Lower Ganges Canal, by the Executive Engineer who held charge during these years?

The Hon'ble Sir Sam O'Donnell : Fines imposed by the Executive Engineer, Mainpuri division, on canal employees during the years 1925, 1926 and up to end of September, 1927, amount to Rs. 140, Rs. 115, and Rs. 140, respectively.

CASES DISPOSED OF BY THE DEPUTY MAGISTRATE OF CANALS, MAINPURI.

***245. Thakur Gulab Singh :** (a) Will the Government be pleased to state the number of cases disposed of by the Deputy Magistrate of Canals, Mainpuri division, Lower Ganges Canal, during 1924, 1925, and 1926?

(b) In addition to the case-work what other duties are required of him?

*Number of cases
disposed of.*

The Hon'ble Sir Sam O'Donnell : (a) During 1924 ... 57
During 1925 ... 49
During 1926 ... 48

(b) The honourable member is referred to the answer given to starred question No. 10 (b) at the meeting of the Legislative Council of December 17, 1925.

Copy of starred question No. 10 (b) asked by THAKUR SADHO SINGH SAHIB at the Council meeting of December 17, 1925, and of the answer thereto.

QUESTION.

* 10. (b) What other duties are entrusted to them (canal deputy magistrates)?

ANSWER.

* 10. (b) The other and by far the most important and engrossing duties are—

- (1) To see that water supplies are used to the best advantage and to prevent wastage and unauthorized irrigation ;
- (2) to control the revenue establishment and correct assessment of irrigation and miscellaneous revenue ;
- (3) to assess compensation for crops destroyed or injured by breaches, short supply, or natural calamity, and to levy punitive rates ;
- (4) to settle cases of disputes amongst cultivators concerning shares from a watercourse and to prepare maps and statements *osrabandis* ;
- (5) to conduct auctions for sale of timber, fruit, fuel and leases of land and flour and other mills ;
- (6) to inspect periodically all vernacular offices and submit reports of defects to executive engineers ;
- (7) to prepare estimates of areas irrigated and probable revenue ;
- (8) to supervise preparation of correct channel *shajra* sheets, patrols' *shajra* maps and lists of fields charged with owner's rate ;
- (9) to check the areas and *khasras* and the classification of fields into lift and flow ;
- (10) to prepare correct irrigation statistics for remodelling of channels and outlets and for construction of new channels ;
- (11) to pass orders on *istaghas* and to submit weekly irrigation and weather reports.

The above list will show that the deputy magistrate is the executive engineer's right-hand man in all revenue matters, and is in fact a revenue personal assistant with long experience in such matters. He is consequently an invaluable asset to the department in the control of irrigation revenue.

REWARDS TO COMPILERS OF URDU AND HINDI BOOKS.

*246. **Khan Bahadur Maulvi Fasih-ud-din :** (a) Will the Government be pleased to furnish a list of the books, both Urdu and Hindi, for which reward had been given to the compilers under paragraph 407 of chapter X of the revised Educational Code since 1921 ?

(b) What funds had been allotted for award since 1921 ?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the reply given to starred question No. 43 asked by him at the Council meeting of June 22, 1927.

Copy of starred question No. 43 of June 22, 1927, and of the answer thereto.

QUESTION.

* (a) Will the Government be pleased to furnish a list of the books, both Urdu and Hindi, for which reward had been given to the compilers under paragraph 407 of the revised chapter X of the Educational Code during the last three years ?

(b) What sum has been allotted for this purpose during the current year ?

(c) Who is responsible for a warding such prizes ?

ANSWER.

* (a) No rewards have been given.

(b) and (c) Nothing has been allotted for awards under paragraph 407 (f) of the National Code, but Rs. 25,000 have been placed at the disposal of the Hindu Academy which may award prizes for the production of books in Urdu and

RENTS UNDER THE TENANCY ACT.

*247. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to place on the table a statement for each of the districts of the Agra province in which the Tenancy Act of 1938 is in force containing the following details:—

- (a) Number of cases of arrears of rent instituted since the enforcement of the Act up to the end of August, 1937.
- (b) Number of notices under section 31 for the realization of rent for the same period.
- (c) Number of cases in which rents have been realized in full.
- (d) Number of cases in which ejectments have been ordered.
- (e) Number of notices pending, with the specification of notices pending since over six months.
- (f) Number of cases in which time was allowed to tenants?

The Hon'ble Sir Sam O'Donnell : For the information, so far as it is available, the honourable member is referred to the annual revenue administration report.

*248. **Khan Bahadur Maulvi Fasih-ud-din :** Is the Government aware that the settlement officers follow the provisions of the Tenancy Act pre-criing the maximum limit of 25 per cent. regarding the enhancement of rents? If so, will the Government be pleased to lay on the table any instructions which it or the Board of Revenue or the settlement commissioner has issued to them on this subject?

The Hon'ble Sir Sam O'Donnell : Yes; settlement officers follow the law, as the law and the settlement rules are clear. No instructions are necessary in the matter.

*249. **Khan Bahadur Maulvi Fasih-ud-din :** Is it a fact that settlement officers have added to the assessable assets undecreed amounts of enhancements in rent? If so, in what districts?

*250. In how many villages in each of the districts in which land revenue assessments are proceeding settlement officers have added to the assessable assets the estimated amounts of enhancements of rents *suo motu*, and without any application from the zamindars? Have these enhanced amounts been actually decreed or not?

The Hon'ble Sir Sam O'Donnell : *249 and *250. Where rentals are inadequate the settlement officers have, in calculating the assets, added to the rentals the amounts which the landlords could secure by suit or application before the new revenue will come into force. This is in accordance with the law and rules.

* 251 to 253. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

HONORARY MAGISTRATES AND ASSISTANT COLLECTORS.

* 254. **Chaudhri Dharamvir Singh :** (a) Will the Government be pleased to state if there is any age-limit beyond which an honorary magistrate or an honorary assistant collector is considered to be unfit mentally and physically, to exercise any longer his judicial powers?

(b) If not, what are the special reasons for not fixing such an age-limit ?

(c) If the answer to (a) be in the affirmative, what is then the age-limit.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The honourable member is referred to the answer given to starred question no. 23 on June 28, 1926.

(b) Government do not consider hard and fast rules so suitable for honorary office holders as for stipendiary, and prefer to leave each case to be decided on its merits according to clearly recognized principles.

(c) Does not arise.

Copy of starred question No. 23 asked by PANDIT NANAK CHAND SAHIB on June 28, 1926, and of the answer thereto.

QUESTION.

* Will the Government be pleased to state if they have fixed any maximum age-limit for retiring honorary magistrates, assistant collectors and munsifs ?

ANSWER.

* No definite age-limit is fixed ; when honorary office holders become physically or otherwise unfit no further work is sent to them.

* 255 and * 256. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

FOREIGN LIQUOR SHOP AT GHAZIABAD.

* 257. **Chaudhri Dharamvir Singh :** Is it a fact that there is a proposal for opening a foreign liquor shop at Ghaziabad under the consideration of the Government ?

The Hon'ble Thakur Rajendra Singh : The answer is in the affirmative.

* 258. **Chaudhri Dharamvir Singh :** Has the Excise Commissioner received any memorial or resolution from the residents of Ghaziabad town respectfully praying to him that permission to the opening of a foreign shop at Ghaziabad be not granted in any circumstances ? If so, what action has been taken thereupon ?

The Hon'ble Thakur Rajendra Singh : The answer to the first part of the question is in the affirmative. The matter is still under the consideration of the Excise Commissioner who hopes to visit Meerut shortly and settle the matter there on the spot.

SCHOOL FOR HAND-SPINNING.

* 259. **Chaudhri Dharamvir Singh :** Does the Department of Industries maintain any school for hand-spinning ? If so, where is that school situated ?

The Hon'ble Thakur Rajendra Singh : (a) No.

(b) Does not arise.

* 260. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

SUB-INSPECTORS OF POLICE.

* 261. **Chaudhri Dharamvir Singh:** Will the Government be pleased to supply the following information for the United Provinces, excluding Kumaun division?—

- (a) The number of sub-inspectors of police each of whom writes his case diary in Hindi.
- (b) The number of those who write their case diaries in Urdu.
- (c) The number of those who write their case diaries in English.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) 1.

(b) 1,724.

(c) 62.

* 262. **Chaudhri Dharamvir Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 263. **Chaudhri Dharamvir Singh:** In how many jails in the United Provinces does provision exist for teaching, reading, and writing to the prisoners? As a result of this activity how many illiterate prisoners, if any, were made literate in the year 1926?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) One; the juvenile convicts in the specially juvenile jail receive instruction in reading and writing.

(b) Information on this point is not available. Government are examining, in consultation with the Education department, the question of improving and extending the existing arrangements for the education of juvenile prisoners.

COLOURS USED IN DYEING AND PRINTING SCHOOL, CAWNPORE.

* 264. **Chaudhri Dharamvir Singh:** (a) What was the total cost of colours used in the Dyeing and Printing School, Cawnpore, in 1926?

(b) How much of this cost is to be accounted for colours made in India?

(c) Are any colours manufactured by the Dyeing and Printing School, Cawnpore, purely from *swadeshi* materials?

The Hon'ble Thakur Rajendra Singh: (a) About Rs. 1,000.

(b) Nil. The indigenous dyes required for teaching purposes were already in stock.

(c) The school manufactures no dye-stuffs of any kind. It teaches the arts of dyeing and printing, but not of manufacturing dye-stuffs.

REPORT ON CONDITIONS OF JAILS IN THE UNITED PROVINCES.

* 265. **Chaudhri Dharamvir Singh:** With reference to page 11 of the annual report on the conditions and management of jails in the United Provinces for the year ending December 31, 1926, will the Government be pleased to name the twelve convicts flogged in 1926 and the offences for which they were flogged?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: A statement is laid on the table.

(See Appendix G, page 612).

VEGETABLES TO JAIL OFFICIALS.

* 266. **Chaudhri Dharamvir Singh** : Were any vegetables supplied from the jail gardens to superintendents, jailers, and other jail officials in the United Provinces in 1926 ? If so, what was the approximate value of vegetables so supplied ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes ; vegetables were supplied in accordance with the provisions of paragraph 1209A of the Jail Manual.

(b) No record is kept from which the value of the vegetables so supplied could be calculated.

CLOTHES AND BEDDING TO PRISONERS IN JAILS.

* 267. **Chaudhri Dharamvir Singh** : Will the Government be pleased to give a full list of clothes and details of bedding at present being supplied to prisoners in jails ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : A statement giving the required information is laid on the table. As far as the clothing for Indian prisoners is concerned some increase is under contemplation if money is forthcoming.

(See Appendix H, page 613.)

SEGREGATION OF JUVENILE AND ADOLESCENT PRISONERS.

* 268. **Chaudhri Dharamvir Singh** : Do there exist any arrangements for the segregation of juvenile and adolescent prisoners at present kept in central jails of the province and the Benares district Jail ? If so, what ? If not, why ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Juvenile and adolescent prisoners are segregated in five central prisons and the Benares district jail in separate enclosures.

PREPARATION OF FLOUR PASTES FOR COOKING.

* 269. **Chaudhri Dharamvir Singh** : (a) What are the existing arrangements in jails for making flour pastes for cooking ?

(b) Is it a fact that flour paste is prepared with feet and not with hands ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Flour is first soaked in water and then kneaded by hand in galvanized iron trays or in cemented small tanks.

(b) No.

YARN-SPINNING BY PRISONERS.

* 270. **Chaudhri Dharamvir Singh** : Do there exist in any of the jails in the United Provinces arrangements for the spinning of yarn by the prisoners with their hands ? If so, what arrangements ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes. Spinning of woollen yarn or cotton yarn is carried out in almost all jails on the *charkha*.

* 271. **Chaudhri Dharamvir Singh** : [Postponed at the request of Government till the first day of the next meeting of the Council.]

CIVIL POLICE CONSTABLES.

* 272. **Chaudhri Dharamvir Singh**: Will the Government be pleased to state—

- (a) The number of Muslim civil police constables ;
- (b) the total number of non-Muslim civil police constables in—
 - (1) United Provinces, (2) district of Agra, (3) district of Bareilly, (4) district of Pilibhit, and (5) district of Cawnpore ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) 9,891.

- (b) (1) 10,110.
- (2) 489.
- (3) 199.
- (4) 85.
- (5) 450.

* 273 to * 275. **Chaudhri Dharamvir Singh** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RAI SAHIB BABU RAMESHWAR LAL versus PANDEY RAJDHARI LAL, GHAZIPUR.

* 276. **Thakur Shiva Shankar Singh**: With reference to starred question No. 51, part (d) of March 10, 1927—

- (a) Has departmental inquiry been completed by this time ?
- (b) If so, will the Government be pleased to lay the result of the inquiry before the Council ?
- (c) If not, will the Government be pleased to state when the inquiry was taken in hand ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No ; the departmental inquiry will be taken up when the record which is now in the High Court is received back in the district judge's office.

LIQUOR SHOPS OF ALMORA AND BAGESHWAR.

* 277. **Pandit Badri Dutt Pande** : (a) Has Government received resolutions from the Temperance Society, Almora, that the liquor shops of Almora and Bageshwar be abolished ?

- (b) If so, what action has Government taken on these resolutions ?

The Hon'ble Thakur Rajendra Singh : (a) No.

- (b) Does not arise.

* 278. **Rai Bahadur Lala Jagdish Prasad** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EXPENDITURE FROM THE AMOUNT ACCRUED BY REMISSION OF THE PROVINCIAL CONTRIBUTION.

* 279. **Rai Bahadur Lala Jagdish Prasad** : Will the Government be pleased to state how they have so far utilized the amount accrued by the remission of the provincial contribution for the various reserved and transferred departments during the current year ?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the budget statement and the supplementary estimates subsequently presented. The distribution there indicated is subject, however, to such modifications as the actuals up to the end of the year may disclose.

APPOINTMENT IN EDUCATION DEPARTMENT OF L. T.'S OF UNIVERSITIES IN THE UNITED PROVINCES.

***280. Rai Bahadur Lala Jagdish Prasad :** (a) Will the Government be pleased to state how many L. T.'s from the Allahabad, Lucknow, Benares and Aligarh Universities respectively were appointed in the Provincial Educational Service by the Department of Education during the last three years, i.e., 1924-25, 1925-26, and 1926-27?

(b) Is it a fact that the L. T.'s of the Benares Hindu University are looked down upon by the department in the matter of appointments; and, if so, why?

The Hon'ble Rai Rajeshwar Bali : (a) Presumably the honourable member refers to direct appointments. There was only one; an L. T. of Allahabad University in 1926-27.

(b) No.

AMALGAMATION OF THE P. W. D. SECRETARIAT WITH THE CIVIL SECRETARIAT.

***281. Babu Bhagwati Sahai Bedar :** Is it a fact that consequent on the amalgamation of the P. W. D. Secretariat with the Civil Secretariat a scheme is under consideration to separate the Chief Engineer's office and to bring clerks of the subordinate offices (circle establishment) on to one cadre? If so, when is it likely to be given effect to? If not, will the Government kindly state reasons?

The Hon'ble Nawab Muhammad Yusuf : No such scheme is under the consideration of Government. The separation of the posts of Chief Engineer and Secretary to Government is too recent for any such proposals to have taken shape.

***282. Babu Bhagwati Sahai Bedar :** Is it a fact that the clerks in the P. W. D. Secretariat, with equal qualifications, get a time-scale of pay? If so, why is a different treatment accorded to the circle establishment?

The Hon'ble Nawab Muhammad Yusuf : Secretariat offices, including the Buildings and Roads Secretariat, are on a time-scale. Other offices with very few exceptions are not.

***283. Babu Bhagwati Sahai Bedar :** Is it a fact that these clerks have memorialized Government on the subject six times? If so, what has been the result?

The Hon'ble Nawab Muhammad Yusuf : Yes. There is no reason to distinguish these offices from other non-Secretariat offices.

***284. Babu Bhagwati Sahai Bedar :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

***285. Babu Bhagwati Sahai Bedar :** Is it a fact that circle officers in certain grades have not got promotion for the last fifteen years? If so, does the Government intend to do anything for these men?

The Hon'ble Nawab Muhammad Yusuf : As the offices are on grade pay, promotion depends on the occurrence of vacancies. The information

required would involve the examination of the service book of every clerk. Government do not propose to undertake it, as the value of the result would not be commensurate with the labour involved.

***286. Babu Bhagwati Sahai Bedar :** In respect of P. W. D. clerks in the circle establishment, will the Government be pleased to lay on the table a statement showing the following :—

- (a) Total number of clerks.
- (b) Number of clerks in each grade.
- (c) Number of clerks who have not got graded promotion for the last fifteen years.
- (d) Number of clerks who did not get promotion during the last five years?

The Hon'ble Nawab Muhammad Yusuf : (a) 166.

(b) A statement is laid on the table.

(c) and (d) The honourable member is referred to the answer given to question No. 285 of to-day's date.

(See Appendix I, page 615.)

***287. Babu Bhagwati Sahai Bedar :** Is it a fact that the clerks for the subordinate service of the Chief Engineer's office are recruited from the circle establishments? If so, on what conditions? If not, why not?

The Hon'ble Nawab Muhammad Yusuf : (a) Partly so.

(b) On condition of efficiency and qualification.

(c) and (d) Do not arise.

***288. Babu Bhagwati Sahai Bedar :** Will the Government be pleased to state the number of clerks recruited to the subordinate service of the Chief Engineer's office—(a) from circle establishments, (b) by direct recruitment?

The Hon'ble Nawab Muhammad Yusuf : Appointments during the last five years have been—

(a) Four.

(b) Five.

HIGH SCHOOL SCHOLARSHIP EXAMINATION.

***289. Babu Bhagwati Sahai Bedar :** Will the Government be pleased to state the reasons why they have abolished the high school scholarship examination from 1928?

The Hon'ble Rai Rajeshwar Bali : The honourable member is referred to the answer to starred question No. 113 asked by Pandit Govind Ballabh Pant Sahib at the Council meeting of June 27, 1927.

Copy of starred question No. 113, of June 27, 1927, and of the answer thereto.

QUESTION.

***(a)** Will the Government be pleased to state if it has decided to abolish the high school scholarship examination? If so, will the Government be pleased to state the reason for this?

(b) Will the Government not allot any scholarship to students in the high school classes hereafter? If not, why?

ANSWER.

*(a) Yes. On the recommendation of the Code of Committee.

(b) In place of the high school scholarships stipends will be awarded to poor meritorious students in high school classes in Government and aided high schools.

*293. **Babu Bhagwati Sahai Bedar** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PRINCIPAL OF THE TANNING SCHOOL, FATEHPUR.

*291. **Lala Nemi Saran** : Who is the Principal of the Fatehpur Tanning School? What are his qualifications? Was the post advertised? How many applicants were there? How many leather and tanning schools are there in the province? Is there any sort of co-ordination between them?

The Hon'ble Thakur Rajendra Singh : Syed Mustafa Husain has been appointed head master of the Tanning School, Fatehpur. He read up to the Matriculation standard and knows English, Urdu and Hindi. He was trained in both chrome and bark tanning at the Government School of Tanning, Madras; he has had nearly thirteen years' experience of tanning work and has run his own tannery for the past four years.

The post was advertised and twenty-seven applications were received. Syed Mustafa Husain was selected by Government on the recommendation of a selection committee from among these applicants.

There are at present three leather-working schools, but no tanning school. Co-ordination in the work of the leather-working schools is secured by the inspection of each, from time to time, by the Leather Expert.

EXAMINATIONS IN TECHNICAL AND INDUSTRIAL SCHOOLS.

*292. **Lala Nemi Saran** : (a) How are the examinations in the various Government technical and industrial schools conducted? (b) Is there any central board for conducting examinations, prescribing courses and co-ordinating studies in these institutions? (c) How many names were published by way of corrigenda of successful candidates after the formal publication of examination results?

The Hon'ble Thakur Rajendra Singh : (a) The final examinations at technical and industrial schools (except at the Harcourt Butler Technological Institute, Cawnpore, and the School of Arts and Crafts, Lucknow) are conducted by officers of the department not connected with the schools for which they act as examiners. In some cases at least one officer not connected with the department is appointed examiner as well.

(b) There is no central board for prescribing courses of instruction, conducting examinations and co-ordinating studies. Courses of instruction are prescribed in consultation with school advisory committees. Co-ordination in studies will be secured by a Deputy Director of Industries, who will be in charge of technical education and who will be appointed shortly.

(c) Two.

*293 to *295. **Pandit Badri Dutt Pande** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

Jagir TO PANDIT HAR BALLABH OF ALMORA.

*296. **Babu Bhagwati Sahai Bedar** : Is the Government aware that the late Pandit Har Ballabh of mauza Pilkh, Almora district, was granted a *jagir* by the Government of Lord Minto in 1913?

The Hon'ble Sir Sam O'Donnell : The late Pandit Har Ballabh was not granted a *jagir* by the Government of Lord Minto in the year 1913. A village named Dasondhiyawala, in pargana Kashipur, was granted to him by the Most Noble the Marquis of Hastings in the year 1819.

*297. **Babu Bhagwati Sahai Bedar** : Is the Government aware that the land of the said *jagir*, which was situated in village Dasondhiyawala, in the pargana of Kashipur (district Naini Tal) was uncultivated at the time when it was granted to the late Pandit Har Ballabh?

The Hon'ble Sir Sam O'Donnell : Yes.

*298. **Babu Bhagwati Sahai Bedar** : Is the Government aware that this *jagir* was granted to Pandit Har Ballabh in consideration of his valuable service to the Geographical researches and expeditions carried out by late Colonel Colebrook and Mr. Metcalfe?

The Hon'ble Sir Sam O'Donnell : Yes.

*299. **Babu Bhagwati Sahai Bedar** : Is the Government aware that the terms *sanad* granting this *jagir* emphatically declared that this *jagir* was inalienable?

The Hon'ble Sir Sam O'Donnell : The *jagir* was to be held by Har Ballabh Pandit and his eldest surviving son free of assessment during the period of their natural lives, and on the death of the latter to descend to the heirs of Har Ballabh Pandit as an hereditary zamindari subject to the payment of the Government revenue.

*300. **Babu Bhagwati Sahai Bedar** : Is the Government aware that this *jagir* is now in the possession and control of the Superintendent, Tarai and Bhabar Government estates?

The Hon'ble Sir Sam O'Donnell : Yes. The village at present forms part of the Kham estate.

*301. **Babu Bhagwati Sahai Bedar** : Is the Government aware that a direct descendant (great-grandson) of the late Pandit Har Ballabh recently approached this Government and reclaimed his title and possession over this land?

The Hon'ble Sir Sam O'Donnell : Yes.

*302. **Babu Bhagwati Sahai Bedar** : Is the Government aware that the Commissioner of the Kumaun division in his No. 2030/XII—287, dated March 13, 1926, expressed his opinion that the land in question appeared to belong to this applicant?

The Hon'ble Sir Sam O'Donnell : Yes.

*303. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to see its letter No. 3745/I-A—187, dated September 17, 1926, and state on what grounds this request of the seniormost surviving descendant of the grantee was rejected?

The Hon'ble Sir Sam O'Donnell : After a careful consideration of the case Government rejected the petition of Pandit Trilochan Pande. Har Ballabh Pandit was granted the village of Dasondhiyawala as a *jagir*.

for two lives and afterwards as an hereditary zamindari subject to the payment of revenue. The report of Mr. Money's settlement of the Moradabad district under Regulation IX of 1833 shows that Dasondhiya-wala was cultivated in 1841 and let in farm to Chaube Bindraban and Chan'e Jwalanath. Har Ballabh's descendants did not, therefore, continue to pay the revenue. The grant consequently became void, and Government settled the *jagir* with someone else. The surviving descendant of Har Ballabh Pandit has, therefore, no legal title, and the *jagir* is now a government village.

Unstarred Questions.

GRANT FOR BUILDING OF GIRLS' SCHOOLS.

1. **Pandit Bhagwat Narayan Bhargava :** Will the Government place a statement before the House showing the grants given for building of girls' schools to municipal boards and district boards during the last three years ?

Mr. Panna Lal : No such grants have been given during the last three years.

COMMERCE OR MANUAL TRAINING CLASSES IN JHANSI DIVISION.

2. **Pandit Bhagwat Narayan Bhargava :** (a) Is there any commerce or manual training class attached to any English school or intermediate college in the Jhansi division ? (b) If not, do the Government intend to establish one at Jhansi ?

Mr. Panna Lal : (a) No. (b) Government will examine the matter.

INTERMEDIATE COLLEGE, JHANSI.

3. **Pandit Bhagwat Narayan Bhargava :** What was the income and expenditure under games in the intermediate college, Jhansi, and the expenditure under gardens during the year 1926-27 ?

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix J, page 616 .)

QUARTERS OF TAHSILDAR OF MAU, JHANSI.

4. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that the quarters of the tahsildar of Mau (district Jhansi) were heavily damaged by floods in August, 1926 ? How many rooms have been left for his use now ?

5. **Pandit Bhagwat Narayan Bhargava :** Do Government intend to re-erect the damaged portion ? If so, when ? What is the estimate of the construction ? Has it been sanctioned ?

Mr. H. A. Lane : 4 and 5 Government have no information regarding this building.

RETIRING-ROOM FOR DEPUTY COLLECTORS, JHANSI.

6. **Pandit Bhagwat Narayan Bhargava :** (1) Is there any retiring-room for Deputy Collectors at Jhansi ? (2) If not, do Government intend to arrange for one out of the existing rooms or by constructing a new one ?

Mr. H. A. Lane : (1) Government do not know.

(2) No such proposal has come before Government.

TRAINING CLASSES FOR VERNACULAR TEACHERS.

7. **Pandit Bhagwat Narayan Bhargava:** (a) Have any central training classes been opened at any place in the province for vernacular teachers?

(b) Do the Government intend to establish one at Jhansi? If so, when? If not, do they intend to help the local boards to have one at an early date?

(c) Is the Government aware that there is now only one ordinary training class in the whole of Jhansi district?

(d) Is it a fact that this training class trains teachers of both municipal and district boards of Jhansi?

Mr. Panna Lal: (a) Yes.

(b) Not at present.

(c) Yes.

(d) No.

8. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MEDICAL EXAMINATION OF STUDENTS OF INTERMEDIATE COLLEGE, JHANSI.

9. **Pandit Bhagwat Narayan Bhargava:** (a) Does the medical officer appointed by the Education department examine the students of the Jhansi Intermediate College? If so, how many times in a year?

(b) Did he find any boys suffering from any contagious diseases so far? If so, how many and from what particular disease?

(c) What precautions were taken in this connexion?

Mr. Panna Lal: (a) Yes, eleven.

(b) Yes.

Granular lids	...	...	...	...	7
Small-pox	...	...	...	...	1
Ringworm	...	...	...	...	4
Itch	...	...	...	...	1
Scabies	...	...	...	...	1

(c) He gave directions for isolation and treatment.

APPOINTMENT OF AN OFFICIAL RECEIVER AT JHANSI.

10. **Pandit Bhagwat Narayan Bhargava:** Do Government intend to appoint an official receiver at Jhansi?

Mr. R. L. Yorke: Government have already done so.

11. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

POLICE SUB-INSPECTOR AT LALITPUR, JHANSI.

12. **Pandit Bhagwat Narayan Bhargava:** Will the Government state the educational qualifications of the sub-inspector of police of Lalitpur (Jhansi) kotwali? Is he certified to be able to ride a horse?

Has any of his superior officers been accompanied by him on tour on horse back? If so, which of them and how many times, and up to what distance?

Kunwar Jagdish Prasad : Government have no reason to doubt the fitness of the sub-inspector for the post which he holds.

DEPUTY SUPERINTENDENTS OF CIVIL VETERINARY DEPARTMENT.

13. Pandit Bhagwat Narayan Bhargava : What is the number of Hindu and Muslim deputy superintendents in the Civil Veterinary department, as also the number of Hindu and Muhammadan assistant surgeons of the said department?

Mr Panna Lal :

Deputy superintendents.

Hindus	..	..	..	..	..	Nil.
Muslims	..	..	..	..	..	2

Veterinary assistant surgeons.

Hindus	..	..	..	..	..	58
Muslims	..	..	..	..	..	122

14. Pandit Bhagwat Narayan Bhargava : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

TAXATION ON ADVERTISEMENTS, ENTERTAINMENTS, AND AMUSEMENTS.

15. Pandit Bhagwat Narayan Bhargava : Has any municipal board in the United Provinces imposed any taxation on advertisements, entertainments, and amusements? If so, which?

Sir Ivo Elliott : No.

16. Pandit Bhagwat Narayan Bhargava : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

POOR HOUSES AND ORPHANAGES.

17. Pandit Bhagwat Narayan Bhargava : Are there any poor-houses and orphanages under the control of municipal or district boards in the United Provinces? If so, where? What, if any, grant-in-aid does the Government give to each of them?

Sir Ivo Elliott : The honourable member is referred to the answer to starred Council question No. 50 of October 29, 1927.

Copy of starred Council question No. 50 for October 29, 1917, and the answer given thereto.

QUESTION.

* 50. Have any municipal or district boards got any poor-houses? If so, where? What amount do they annually spend on them? Does the Government give any grants for the purpose?

ANSWER.

The municipal boards of Shahjahanpur and Fyzabad and the district boards Bareilly and Sitapur maintain poor-houses and spend Rs. 778, Rs. 768, Rs. 110 per annum on them, respectively. Government give no grant towards their

RINDERPEST AND FOOT-AND-MOUTH DISEASE IN NAINI TAL AND
BULANDSHAHR,

18. **Pandit Bhagwat Narayan Bhargava**: What was the number of cattle which died in Naini Tal and Bulandshahr districts on account of rinderpest and foot-and-mouth diseases in 1926-27? What special action did the Government take to check the diseases?

Mr. Panna Lal: The number of cattle which died of rinderpest and foot-and-mouth diseases in the districts of Naini Tal and Bulandshahr during 1926-27 is given below:—

<i>District.</i>	<i>Rinderpest.</i>	<i>Foot-and-mouth.</i>
Naini Tal ..	905	437
Bulandshahr ..	764	197

The veterinary staff in the Kumaun division was increased: additional grants were given for the purchase of anti-rinderpest serum for use in the Naini Tal and Bulandshahr districts, among others. Efforts were made to induce owners of cattle which were found to be suffering from rinderpest or foot-and-mouth disease to have their animals inoculated or treated at the nearest dispensaries, or at their own houses by touring veterinary assistant surgeons.

19. **Raja Raghuraj Singh**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

20 to 23. **Mr. Zahur Ahmad**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

COMMUTATION OF PENSION.

24. **Thakur Gulab Singh**: Will the Government be pleased to state?—

- (a) the number of applications for commutation of pension pending on April 1, 1927;
- (b) how many such applications have been received in the Secretariat up to August 31, 1927, during the current financial year;
- (c) how many of these applications have been sanctioned;
- (d) what is the budget allotment for this purpose;
- (e) what is the amount now left available;
- (f) do Government intend to allot a sufficient amount to meet the growing demand.

Mr. H. S. Crosthwaite: (a) 143.

(b) 43.

(c) 37.

(d) Rs. 1,73,000, excluding Rs. 27,000, the amount placed at the disposal of the High Commissioner for India for commutations outside India.

(e) Rs. 51,062.

(f) Such provision as funds permit is made regularly. This year the provision voted for commutations is two lakhs of rupees.

CANAL AMINS.

25. **Thakur Gulab Singh** : Will the Government be pleased to state?—

- (a) What is the length and breadth approximately of a circle given to a canal amin in Mainpuri division, Lower Ganges canal;
- (b) what is the maximum and the minimum pay of a canal amin;
- (c) what is the pay of naib and head munshis in Canal department;
- (d) how much horse allowance do these munshis get per mensem;
- (e) do amins get any travelling allowance or horse allowance? If not, will the Government be pleased to consider the appropriateness of granting them horse allowance?

The Hon'ble Sir Sam O'Donnell : (a) Ten miles long and five miles wide approximately.

(b) The maximum pay is Rs. 45 and the minimum Rs. 25 per mensem.

(c) The scale of pay of naib-munshis is—

Rs. 40, 1st grade ;

Rs. 35, 2nd grade ;

Rs. 25, 3rd grade ;

and that of head munshis is Rs. 65 per mensem.

(d) Munshis get no horse allowance.

(e) Amins get no horse allowance. If they travel outside the limits of their jurisdiction, they draw travelling allowance under rule 23(c)(4), read with appendix II of U. P. Financial Handbook, volume III.

Government does not consider horse allowance necessary in the case of amins.

26 to 28. **Thakur Gulab Singh** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

NUMBER OF CANDIDATES WHO APPEARED IN HIGH SCHOOL AND INTERMEDIATE EXAMINATIONS.

29. **Thakur Gulab Singh** : Will the Government be pleased to state the number of candidates who appeared for the High School, or School-Leaving Certificate and Intermediate examinations in 1925, 1926 and 1927 and those of successful ones?

Mr. Panna Lal : A statement is laid on the table of the honourable member.

(See Appendix K, page 617.)

NUMBER OF CANDIDATES WHO APPEARED IN B. A. AND B. SC. EXAMINATIONS.

30. **Thakur Gulab Singh** : Will the Government be pleased to state—

- (a) The number of candidates who appeared for the B. A. and B. Sc. examinations in the Allahabad, Lucknow, Benares, and Aligarh universities in 1925, 1926 and 1927, respectively; number of those who were successful?

Mr. Panna Lal : A statement is laid on the table of the honourable member.

(See Appendix L, page 617.)

PROPORTION OF MUHAMMADANS IN CERTAIN SERVICES.

31. **Shaikh Abdullah :** Will the Government be pleased to state the proportion of Muhammadans in the following services in the year 1926-27 ? :—

1. *Education*—
 - (a) Imperial service.
 - (b) Provincial service.
 - (c) Teachers.
2. *Forest*—
 - (a) Imperial service.
 - (b) Provincial service.
 - (c) Clerical service.
3. *Public Works department*—
 - (a) Irrigation—
 - (i) Imperial service.
 - (ii) Provincial service.
 - (iii) Clerical service.
 - (b) Buildings and Roads—
 - (i) Imperial service.
 - (ii) Provincial service.
 - (iii) Clerical service.
4. *Secretariat*—
 - (a) Clerks.
 - (b) Stenographers.
5. *Judicial*—
 - (a) Imperial service.
 - (b) Listed posts.
 - (c) Clerical service.

Kunwar Jagdish Prasad : For information as regards the Imperial and Provincial Services the honourable member is referred to the Civil List. As regards figures for the clerical service, Government consider that the labour involved in collecting the information will be disproportionate to its value.

CASTES WHICH ARE DEPRESSED CLASSES.

32. **Chaudhri Dharamvir Singh :** Will the Government be pleased to name the castes which for the purposes of the Education department are included in the phrase “ Depressed classes ? ”

Mr. Panna Lal : An answer will be given at a later date.

NUMBER OF DEPRESSED CLASS STUDENTS AND TEACHERS IN
VERNACULAR SCHOOLS.

33. Chaudhri Dharamvir Singh : Will the Government be pleased to state (a) the number of teachers and (b) the number of students belonging to the depressed classes in ordinary vernacular schools in the United Provinces ?

Mr. Panna Lal : Government have no information, and they do not consider that the time and labour involved in collecting this information will be commensurate with its value.

34. Chaudhri Dharamvir Singh : Will the Government be pleased to state (a) the number of teachers and (b) the number of students belonging to the depressed classes in—

- (a) vernacular schools specially meant for the depressed classes ;
- (b) anglo-vernacular schools ;
- (c) intermediate colleges ;
- (d) universities (including the Benares and Aligarh universities) ;
- (e) Hindu pathshulas ;
- (f) Sanskrit college, Benares ;
- (g) Sanskrit pathshalas ;
- (h) normal schools ?

Mr. Panna Lal : Statistics under the heads enumerated in the question are not available and their collection would entail an expenditure of time, labour and money which would be disproportionate to the value of the information received. No figures regarding the number of teachers belonging to the depressed classes are available.

A statement giving such statistics relating to pupils belonging to the depressed classes as are in the possession of Government is placed on the table of the honourable member ; the date to which they refer is March 31, 1927.

(See appendix M, page 618.)

35. Chaudhri Dharamvir Singh : Will the Government be pleased to state the number of candidates belonging to the depressed classes, that appeared in the high school or equivalent examination of 1927 conducted by—

- (a) Board of High School and Intermediate Education, United Provinces ;
- (b) Aligarh Muslim University ;
- (c) Benares Hindu University ;

Mr. Panna Lal : (a) and (b) Information is not available.

(c) Two.

36. Chaudhri Dharamvir Singh : (a) How many of the number asked in (a) of the foregoing question took Hindi as one of their subjects ?

How many of the number asked in (b) of the foregoing question took Hindi as one of their subjects ?

(c) How many of the number asked in (a) of the foregoing question took Sanskrit as one of their subjects?

Mr. Panna Lal : (a) and (b) do not arise.

(c) One.

VERNACULAR FINAL EXAMINATION.

37. Chaudhri Dharamvir Singh : Will the Government be pleased to supply the following information about the Vernacular Final Examination for 1927 ? :—

(a) The number of depressed class candidates that appeared in the said examination and their ratio to the entire number of candidates appearing in the examination.

(b) The number of Muslim candidates that took Hindi as their subject.

(c) The number of Hindu candidates that took Urdu as their subject.

(d) The number of Indian Christian candidates appearing.

(e) The number of candidates asked in (d) taking Hindi as their subject.

(f) The total number of Muslim candidates appearing.

(g) The total number of non-Muslim candidates appearing.

Mr. Panna Lal : (a) Information is not available.

(b) 299.

(c) 5,507.

(d) 11.

(e) 4.

(f) 2,096.

(g) 15,583.

SCHOLARSHIPS TO DEPRESSED CLASS BOYS.

38. Chaudhri Dharamvir Singh : (a) How many government scholarships, if any, are being given at present to boys of the depressed classes receiving education in these provinces ?

(b) What is the total number of government scholarships being given to boys receiving education in these provinces ?

(c) How many of the number asked in (a) are being given on grounds of or for the reason of—

(i) merit,

(ii) poverty, and

(iii) the simple fact of belonging to depressed classes ?

Mr. Panna Lal : (a) Government scholarships are awarded for precedence in public examinations and are not reserved for any community.

(b) The honourable member is referred to Chapter VIII of the United Provinces Educational Code.

(c) Does not arise.

PERCENTAGE OF DEPRESSED CLASS BOYS IN VERNACULAR SCHOOLS.

39. **Chaudhri Dharamvir Singh** : What is the percentage of depressed class boys reading in various vernacular and Anglo-Vernacular schools in the United Provinces to the depressed class boys total population of schoolgoing age in the United Provinces ?

Mr. Panna Lal : Information is not available.

HONORARY MAGISTRATES AND ASSISTANT COLLECTORS.

40. **Chaudhri Dharamvir Singh** : Will the Government be pleased to give (a) a list of honorary magistrates and honorary assistant collectors in the United Provinces each of whom has passed the 68th year of his age, and also (b) a list of all honorary magistrates and honorary assistant collectors in the United Provinces each of whom has passed the 74th year of his age ?

Has the Government any intention of reappointing these gentlemen on the expiry of their running period of office ?

***Mr. R. L. Yorke** : (1) A statement is placed on the table containing the names and ages of honorary magistrates in the United Provinces on the active list, who have passed the age of 68.

(2) On or before the expiry of the present term of appointment of any of these gentlemen the question whether his appointment shall be further extended will be considered on its merits.

***Mr. H. A. Lane** : (a) A statement is laid on the honourable member's table.

(b) Not unless they are exceptionally vigorous for their ages.

(See Appendices N, and O pages 619, 620.)

COMPULSORY PRIMARY EDUCATION.

1. **Chaudhri Dharamvir Singh** : Will the Government be pleased to supply the following information :—

- (a) The names of the district boards that have so far introduced compulsory primary education in their entire jurisdiction, also (b) the names of those that have so far done so only in parts of their districts; giving in such cases the names of the parts.

Mr. Panna Lal : No district board has yet introduced compulsory education.

2. **Chaudhri Dharamvir Singh** : Will the Government be pleased to supply exactly similar information for municipal boards as is asked for district boards in the foregoing question ?

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix P, page 621.)

BOOKS IN AGRICULTURAL LIBRARY, CAWNPORE.

Chaudhri Dharamvir Singh : What is the total number of books in the Agricultural library, Cawnpore ? How many of these

* The question concerned two departments.

books are in Hindi and how many in Urdu? Is the library open to the general public?

Mr. Panna Lal : 19,853, of which 194 are in Urdu and 204 in Hindi. The library is open to the general public.

44. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RELIGIOUS INSTRUCTION IN ISLAMIA SCHOOLS.

45. **Chaudhri Dharamvir Singh :** Is religious instruction compulsory and uniform in Islamia schools? If so, will the Government be pleased to give brief details of the kind of instruction imparted and the qualifications of teachers in charge of religious instruction?

Mr. Panna Lal : (a) No.

(b) Does not arise.

46. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

LIQUOR SHOPS.

47. **Chaudhri Dharamvir Singh :** Since 1922, have any shops for (i) country liquor and (ii) foreign liquor been closed on account of giving effect to the recommendation of (a) licensing boards and (b) excise advisory committees in the United Provinces? If so, will the Government be pleased to give separately the number of foreign and country liquor shops closed and also the names of cities or towns to which such shops belonged?

Mr. Panna Lal : Two statements are laid on the table.

(See Appendix Q, pages 622 to 625.)

48. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

TEACHER BABU IN JAILS.

49. **Chaudhri Dharamvir Singh :** (a) Is it a fact that there is in every jail an official known as teacher Babu?

(b) If so, what are the duties he is required to perform?

(c) Is it a fact that originally he was meant to teach reading and writing to the prisoners but this work was never taken from him and he, at present, is entrusted with office work?

Mr. R. L. Yorke : (a) No.

(b) & (c) Do not arise.

BOOKS IN CENTRAL PRISON LIBRARY, NAINI.

50. **Chaudhri Dharamvir Singh :** (a) What is the number of books in the Naini central prison library?

(b) How many books were issued to prisoners in Naini central prison in the year 1926?

Mr. R. L. Yorke : (a) Eight hundred and sixty-three.

(b) No record is kept.

[Nov. 8, 1927,

AMOUNT SPENT ON TOOLS AND MACHINES OF INDUSTRIAL SCHOOLS.

51. **Chaudhri Dharamvir Singh** : (a) What is the total amount of money invested in machines and tools in industrial and technical schools in the United Provinces ?

(b) How much of this money is to be accounted for tools and machines made in India ?

Mr. Panna Lal : The information is not available.

YARN USED IN WEAVING SCHOOLS.

52. **Chaudhri Dharamvir Singh** : (a) Will the Government be pleased to state how much yarn was used in the Government weaving schools in the United Provinces in 1926 ?

(b) How much of this yarn was hand spun ;

(c) How much was Indian mill made ; and

(d) How much was foreign yarn ?

Mr. Panna Lal : The total quantity of yarn used was about 5,577 lb. of which 803 lb. were hand-spun, 2,791 lb. Indian mill-made and 1,983 lb. imported.

53. **Chaudhri Dharamvir Singh** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

STUDENTS ANSWERING THEIR PAPERS IN VERNACULAR IN HIGH SCHOOL EXAMINATION.

54. **Chaudhri Dharamvir Singh** : (a) Of the total number of students that sat for the high school examination of 1927, how many wrote their answer papers in vernacular in subjects in which they could do so optionally with English ?

(b) How many of the number asked in (a) wrote their answer papers in Hindi, how many in Urdu and how many in Bengali ?

Mr. Panna Lal : (a) 3,972.

(b) Hindi—2,002 ; Urdu—1,970 ; Bengali—none.

PROVISION FOR TEACHING CERTAIN OPTIONAL SUBJECTS FOR HIGH SCHOOL EXAMINATION.

55. **Chaudhri Dharamvir Singh** : (a) In how many schools in the United Provinces does provision exist for teaching metal work as an optional subject for the High school examination ; (b) in how many for commerce ; (c) in how many for agriculture ; (d) in how many for manual training and (e) in how many for domestic science ?

Mr. Panna Lal : (a) None.

(b) 36.

(c) 5.

(d) 14.

(e) 6.

GOVERNMENT REFORMATORY SCHOOL, CHUNAR.

56. **Chaudhri Dharamvir Singh** : Will the Government be pleased to supply the following information about the Government Reformatory school, Chunar ? :—

- (a) The number of teachers in charge of industrial instruction.
- (b) The number of teachers imparting literary instruction and the qualifications of the highest and the lowest teachers.
- (c) The number of Hindu boys.
- (d) The number of Indian Christian boys.
- (e) The total number of boys at present.
- (f) The number of boys with Hindi as the language in which they read and write.
- (g) Standard of literary instruction in the school.
- (h) The number of dormitory supervisors, their qualifications and their religion.

Mr. Panna Lal : (a) 10.

(b) 5. They have all passed the vernacular teachers' certificate examination.

(c) 110.

(d) One.

(e) 157, on October 21, 1927.

(f) 114.

(g) Upper primary.

(h) Six. One has passed the teachers' certificate examination, two the upper primary training certificate examination and one the school leaving certificate examination; two have not passed any recognized examination. Three Hindus, two Muhammadans and one Christian.

PASTURE LAND IN UNITED PROVINCES.

57. **Chaudhri Dharamvir Singh** : For each district of the United Provinces will the Government be pleased to supply the following information ? :—

- (a) The total area of pasture land in the district in the earliest year for which statistics are available.
- (b) The total area of pasture land in the district in the latest year for which statistics are available.

Mr. Panna Lal : The information is not available.

58. **Chaudhri Dharamvir Singh** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

NOTICE OF MOTION FOR ADJOURNMENT.

The Hon'ble the President : Pandit Govind Ballabh Pant has handed over to me a notice of his intention to move an adjournment of the House today for the purpose of discussing a matter of urgent public importance, viz., the failure of the Government to start legal proceedings

[The Hon'ble the President.]

against as well as to suspend during inquiry the sub-inspector, Shikohabad, referred to in today's question No. 85, in spite of the severe strictures against his conduct by the High Court of these provinces.

The question of suspension of the sub-inspector during the inquiry cannot be said to be a matter of recent occurrence. Is the honourable member prepared to leave that out.

Pandit Govind Ballabh Pant : Yes, Sir.

The Hon'ble the President : The motion as modified is in order. Is there any objection to its being moved ?

The Hon'ble Sir Sam O'Donnell : If it is in order I cannot say anything, but my only point is that a motion for adjournment cannot be moved on a matter which cannot form the subject of a resolution. If a resolution were moved it would take the form that a particular person should be prosecuted. In that case I doubt if a resolution could be moved for it would be a matter of discussion in the Council whether the man was guilty of an offence or not ?

The Hon'ble the President : I have already declared the motion in order. I shall put it to the House and see whether the House gives leave or not.

But as regards the other point it has been the practice in this House to move resolutions recommending the prosecution or punishment of Government officials, for example, we have one tomorrow, and when on this floor of this House I was myself the author of one such resolution some years ago on the question of Meerut looting case. As regards the nature of the objection I do not think I need say anything from the Chair. But as the rules require me to put it to House, I ask whether the honourable member has the leave of the House to move this motion.

More than twenty members stood up in their seats.

The honourable member has the leave of the House to move the motion. It will be taken up today at 4 p.m., unless in the meantime it is disallowed by His Excellency the Governor.

RESOLUTION RE LOCATION OF THE BAGHPAT MUNSIFI.

Lieut. Nawab Muhammad Jamshed Ali Khan : I beg to move—

"That this Council recommends to the Government that the munsif's court for Baghpat should be located at Baghpat instead of at Ghaziabad."

"Sir, this question has been thoroughly discussed on the floor of this House more than once. My friend Rai Sahib Chaudhri Sheoraj Singh (Alas; he is no more with us) had moved a resolution of the same nature, on my behalf in my absence, and it was accepted by the Council. But I am sorry to say that nothing has yet been done and the unfortunate public of the Baghpat tahsil is still suffering the same difficulty and inconvenience. It is a common principle that when localities are selected for law courts the facilities and the convenience of the public are the first and foremost things to be considered, but in locating

the munsif's court at Ghaziabad this principle has thoroughly been overlooked. Baghpat is 27 miles away from Ghaziabad, and the larger portion of the tahsil which lies in the north is no less than 50 miles. There is no *pacca* road between Baghpat and Ghaziabad. The Shahdara-Saharanpur Light Railway is the only service to reach Ghaziabad, and it has generally only one train in 24 hours. A man attending this court has to spend three clear days. Just imagine how one can do this, when during the time of cutting the crop a cultivator can hardly spare one hour. How can he then spare three days on his case at Ghaziabad? As regards the expenses, it has often been seen that in petty cases the plaintiff has to bear more than the amount claimed for and the defendant has to suffer much more than the amount decreed against. When this resolution was discussed in 1925, the Hon'ble the Home Member raised some two or three points. He said that as we have constructed a new building at Ghaziabad therefore it would be a sheer waste of money to shift the munsif's court from Ghaziabad to Baghpat. In the first place I will say that the new building was not constructed for the munsif of Baghpat, but for the munsif's court of Ghaziabad tahsil. Only one room is set apart for the court of the munsif for Baghpat. And, secondly, Sir, it is a matter of a few thousand rupees and for the sake of this small amount great inconvenience is caused to the litigant public of Baghpat. Sir, at the same time it was also pointed out by the Hon'ble the Home Member that this matter ought to have been brought before the Government at the time of the construction of the new building at Ghaziabad and that it was too late now. I am not quite certain, but as far as as I remember a representation of the litigant public of Baghpat was made before the Government planned the new building. But to no purpose. In these days of the reforms this question has been before Government from 1925 and nothing has yet been done—what to say of pre-reform days. It was also pointed out by the Hon'ble the Home Member that Ghaziabad was a railway centre. Well, Sir, if this is the only consideration to locate munsif's courts then I would certainly suggest that the Baghpat munsif's court be placed at Tundla or Cawnpore or even Delhi, because they are bigger railway centres. We should see what are the means of communication between Baghpat and Ghaziabad. As I have mentioned above, there is no *pacca* road and there is only one train service between Baghpat and Ghaziabad. Sir, the third point on which the Hon'ble the Home Member had laid great stress was the climate. I can say that the climate of Baghpat is far better than that of Ghaziabad. Baghpat has never had any epidemic disease, while Ghaziabad has nearly always been the victim of plague and other diseases. If the Hon'ble the Home Member wants other proofs of the fact that the climate of Baghpat is better than that of Ghaziabad, there are living and irrefutable proofs. I would say that the Hon'ble the Home Member who was born there, and Baghpat has the honour of being the cradle of his infancy, is the best example of what brains Baghpat can produce. As regards the physical side, the humble self of the mover. With these words I commend the resolution for the acceptance of the House.

Rai Bahadur Thakur Hanuman Singh : I want to move. . . .

The Hon'ble the President : Does the honourable member wish to move his amendment ?

Rai Bahadur Thakur Hanuman Singh : Yes, Sir. Because the resolution only refers to the Bagpat munsif's court and my amendment refers to other courts also which are under consideration for transfer from one place to another.

The Hon'ble the President : The amendment that stands in the name of the honourable member considerably widens the scope of the original resolution, and cannot be moved. The honourable member may support the resolution and in doing so put forward the terms of his own amendment as reasons for supporting the resolution.

Rai Bahadur Thakur Hanuman Singh ; Very well, Sir.

The reasons which the honourable mover has given in the case of the Baghat munsif's court apply equally to other courts also. When the munsif's court sits outside the area of its jurisdiction the litigants find it very troublesome and at the same time too expensive to conduct their cases in the courts of munsifs. The Government should not only think of economy or the convenience of its officers, but should also take into consideration the expenses and the inconvenience and troubles of the litigant public. When the munsif's court sits outside the area of its jurisdiction the parties have to suffer more than double and treble the expenditure which they have to bear when the court sits near their homes.

At the same time, Sir, in the headquarters of districts pleaders' fees are higher than in the mofussil courts. All these considerations should weigh greatly in favour of the retention of the courts in the area of their jurisdiction. This question has been discussed on the floor of this House several times, but the Government has not given the same favourable consideration which it ought to have given. I feel pretty certain that the Hon'ble Home Member will in a minute rise to oppose the resolution as he had done on a former occasion. But he should be considerate enough to take into his favourable consideration the troubles which the people have to bear.

With these few remarks I request the Government to accept the resolution which has been moved by my friend Nawab Jamshed Ali Khan.

Khan Bahadur Hafiz Hidayat Husain ; I rise to support the resolution of my friend Nawab Jamshed Ali Khan. I do not subscribe to the view that the munsifs' courts should not be located outside the ambit of their jurisdiction. Munsifs have now got higher powers than they used to exercise before, and sometimes their location in the headquarters of a district, where legal advice is better for the same money, may be more helpful to the litigant public. But the case of Baghat is quite different. Baghat is situated, as the honourable mover has said, 27 miles from Ghaziabad and there is only one train going and coming. Consequently the litigants have to spend two days to go and return from Ghaziabad for attending to their court business. Moreover, in Baghat there is room available for a munsif's court and the court can easily be shifted to that place. There is the tahsildar's court, vakils and petition writers there, and what is very much to the point, the Nawab of Baghat is there.

Pandit Venkatesh Narayan Tivary : The moving appeal made by the member for the Meerut Muslim constituency should have sufficed to

enlist my sympathy in support of his resolution, had it not been for one difficulty to which I shall refer later on. But before I do so I should like to remind the House that this very resolution was moved in this Council on April 8, 1926. It was moved, in the absence of the honourable member who has moved this resolution today, by Rai Sahib Chaudhri Sheoraj Singh, whose death we all deplore. When that resolution was moved by Rai Sahib Chaudhri Sheoraj Singh, it was opposed by the cousin of the present mover, I mean the Hon'ble the Home Member. Had it not been for this fact I should have given my unstinted support to the resolution of the honourable mover. I am reminded, Sir, in this connexion of a saying of the late Mr. G. Subrahmaniam Iyer. He on one occasion remarked that if you appeal from Simla to Whitehall you find that the appeal is made from Phillip drunk to Phillip drunk. in the present case as between the two cousins, if I prefer to join the company of the present Home Member, I do so in the belief that I am appealing from Phillip drunk to Phillip sober. What did the Hon'ble the Home Member say on that occasion? The arguments which have been advanced by the honourable mover to day in support of his resolution were most effectively replied to by the Hon'ble the Home Member then. One of the arguments of Rai Sahib Chaudhri Sheoraj Singh was that Baghpat was the headquarters of the Baghpat tahsil. To that the Hon'ble the Home Member replied that it was not a central place. His exact words were:— "If the honourable members of this House will refer to the map of the Baghpat tahsil, they will find that it is on the border of that tahsil. It is not at all a central place." The Hon'ble the Home Member also referred to the relative inaccessibility of Baghpat as compared to Ghaziabad in the following terms:— "As the honourable members of this House are no doubt aware, Ghaziabad is one of the biggest Railway junctions in this province". The third point that the Hon'ble the Home Member made on that occasion was that the courts are established for the convenience of the public and the litigants. He said in effect:— "At Ghaziabad you can find better legal advice at cheaper rates than it will be possible at Baghpat". But by far the most effective point that was made then by the Hon'ble the Home Member was that Baghpat is reputed to be (I am sorry to repeat it) an unhealthy place. The Hon'ble the Home Member's personal experience on this point should be decisive. His exact words were:— "I have got for personal reasons a love for Baghpat which is my second home in the province. If you go to Baghpat, you will find that in the town houses are in a dilapidated condition and in ruins. The population is also decreasing. Will it be in the interest of the public to transfer the munsifi from the flourishing town of Ghaziabad to that of Baghpat?". I remember, Sir, that another member, who took part in the last debate on the question, said: "It was foolish on the part of the Government to have constructed this building at Ghaziabad". To this the answer of the Hon'ble the Home Member was crushing. He said:— "It was only during the budget session after that building had been completed that this question was raised. Therefore if the act of the Government was foolish, then I think those who did not raise their voice cannot say that they were not parties to that foolishness of the Government." I daresay that amongst those who had had a share in this foolishness of the Government, the part of the share of my honourable friend, the mover, must be very very

[Pandit Venkatesh Narayan Tivary.]

considerable. For these reasons I am unable to extend my support to the resolution, which has been moved by my friend.

Chaudhri Dharamvir Singh : I give my wholehearted support to the resolution. The last speaker said that Baghat has got a bad climate. Sir, the resolution asks only that the munsif's court for Baghat should be transferred to Baghat. If the population of Baghat town can manage to remain in that unhealthy place and if the inhabitants of Baghat tahsil can manage to go to tahsil headquarters, which are also at Baghat, there seems to be no reason why they cannot occasionally go to Baghat for their requirements in cases in the munsif's court. Fresh effects of the bad climate of Baghat will not be on those who already live there, because they are residents of that place and are accustomed to the climate of that place. It may be said that the Government officers who are performing their duties in the court of the munsif at Ghaziabad will have to go to a place which has a bad climate and will thereby suffer. That can as well be said about the tahsildar and other Government officials who live and are stationed in Baghat in connexion with the tahsil work. So that this argument also does not hold ground. It is said that Baghat is a place which is in ruins and which is being depopulated. Is it not our duty to help this town which is going to be depopulated and is in ruins? If we transfer the munsif's court there, we shall be able to give some relief to the town which is already in distress. On that account I think it would be better to transfer the court to Baghat. With these few words I commend the resolution for the acceptance of the House.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The case on behalf of the Government was very eloquently put by the honourable member who spoke from the opposition benches, I mean Mr. Tivary. I wish he had been, Sir, and I wish still more strongly that in this House he would have been on this side of the House instead of sitting over there. As you are aware, Sir, that in the affairs of the location of courts we are always directed and advised by the Hon'ble High Court. We regard their opinion as an expert opinion on matters like this. When the last resolution was passed by this honourable House, we referred it to the High Court and at that time they did not advise us for the transfer. I can now only take upon myself that I will refer the debate on this resolution again to the Hon'ble High Court for their views and advice. It is not possible for us to give any definite assurance without taking the advice of the Hon'ble High Court. I hope this will satisfy my honourable friend and cousin the member for Meerut.

Khan Bahadur Maulvi Fasih ud din : I am rather surprised at the opposition which has been offered by my friend Mr. Venkatesh Narayan Tivary to this resolution. He has not given any reason beyond the reasons which were given on the last occasion, that is in 1926, by the Hon'ble the Home Member. But he forgets that, in spite of all the reasons which were given by the Hon'ble the Home Member, the resolution was passed *en bloc* by the Council and the reasons that were offered by the Hon'ble the Home Member were not considered sufficient. The most important reason on which my friend lays stress is that Baghat is an unhealthy place and he says that the Hon'ble the Home Member's testimony should be considered enough.

I join issue with him in this respect. The Hon'ble the Home Member is in charge of the Judicial department and his opinion in matters of this kind cannot have preference to the opinion of a gentleman who lives there, who was born there and who knows the place better than the Hon'ble the Home Member. We have his testimony that Baghpat is a very healthy place, that we never find any malarial or other contagious diseases in that town, and he says that the allegation that it is an unhealthy place is not at all correct. There is absolutely no reason why we should not accept this unbiassed testimony of my honourable friend, the mover of this resolution.

The other point that has been raised is that Baghpat is in itself not a central place, but it has not been suggested that Ghaziabad is more central than Baghpat. We will have to look to the comparative merits of the two stations and we need not lay any stress on the fact that we should get hold of a certain place which ought to be exactly central. It is certainly more central than Ghaziabad. Our friend the mover of this resolution has given very substantial reasons as to why the munsifi should be transferred from Ghaziabad to Baghpat. I remember that some time ago there was a proposal by the Government that all the sub-divisional magistrates should also be posted at the headquarters of their respective sub-divisions and that announcement gave very great satisfaction to the public concerned : but somehow or other that scheme was shelved, to the great disappointment of the litigants. The only objection which can be raised to the transfer of the munsifi from Ghaziabad to Baghpat and which might be seriously considered, is that perhaps legal aid will not be so readily available and will not be so cheap at Baghpat as it is at Ghaziabad : but this is after all a secondary matter and if the munsifi is transferred to Baghpat, there is no reason why the legal practitioners should not flock there. There is no lack of legal practitioners in these provinces at present, and I think in view of the fact that there is such hard competition, there is no doubt there will be a sufficient number of legal practitioners when the transfer is effected. For these reasons, I support the resolution.

Lieut. Nawab Muhammad Jamshed Ali Khan : I have nothing to add to what I have already said. I am very much thankful for the sympathetic reply of the Hon'ble the Home Member. As regards the opposition of my friend Pandit Venkatesh Narain Tivary I have to say so much that :

بدنم گفتمی و خورسندم عفاک الله نکو گفتمی * جواب تلخ می زید لب لعل شکر خار

In spite of the assurance of the Hon'ble the Home Member I cannot see my way to withdraw this resolution, but to strengthen my case I want a clear decision of the House and would press my motion to a division.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have nothing more to say.

The resolution was put and adopted.

RESOLUTION *re* COMMITTEE FOR APPOINTMENTS IN THE TRANSFERRED DEPARTMENTS.

Mr. A. P. Dube : I beg to move the resolution which stands in my name. The resolution runs thus :—

"That this Council recommends to the Government that the system of appointing *ad hoc* committees for nominating suitable candidates for posts in transferred departments should be discontinued and a permanent committee consisting of five members elected annually by the Council with two members co-opted in each case on the recommendation of the Government should be adopted."

This resolution when you come to think of it is a very modest resolution. It is a small corollary from the much advertised reforms which were inaugurated about seven years ago. The demand made by this resolution is small in comparison with the large, and I should say profuse, promises of the Reforms, promises made to the ear but broken to the heart. I say that the concession demanded by this resolution is small, because it can be granted by the Executive Government itself, in accordance with the wishes of this Council. It requires no change in the constitution, no change in the rules; it requires a change of heart, a change in the angle of vision of the Government and decision to act up to the spirit of the Reforms. In every popular government when a Minister gets into office the party whom he represents also gets into power along with him, and thus the power of making appointments naturally comes into their hands, almost automatically. But under these blessed Reforms, under this wonderful sophistication called dyarchy, an institution unknown to History and the world; under this contrivance in which the known and tried principles of popular government were purposely warped and mutilated to confound the aspirations of an ancient and civilised people, a Minister when he gets into office is cut off from all connexion with his party, supposing that such a party exists. He is shot almost alone into the bureaucratic skies to shine there in solitary splendour. When he soars into such giddy heights, the Minister naturally loses touch with the terrestrials. He has no supporters or friends on the popular side, and the more he looks towards the high heavens the more he finds them empty. On the other hand, he is surrounded by the heads of departments, heads in the cloud land of the steel-frame of the most skyscraping kind. Thus surrounded, he has to work with unsympathetic and uncongenial agents who regard all demands of popular control in appointments with undisguised contempt. He is thus forced like a log of wood to bear the cold embraces of a wooden bureaucracy. If the Minister is a luke-warm liberal he soon hardens into a brown bureaucrat and very soon he comes to share the dislike of the officials for the representatives of the people. Fresh in matters of appointment, a committee *ad hoc* is scraped together, and the officials make the appointments because they are in the majority. The men selected are naturally men of the kind that we would not like to have. The men selected, as may be expected, are men of the docile kind, men who may be expected to become one rapacious cringe before the officials and from whom independence cannot be expected at all. Persons who have shown public spirit, who have incurred some sacrifice in the discharge of public service, whose love for the country has been put to the test are rigorously excluded. This is not as it should be. Such persons should not be allowed to swell the list of

the unemployed. If the country is to get along this material, this tested material, ought not to be allowed to go to waste and must be utilized. This material can only be utilized if the members of this House get upon the committees.

Now, the Government should in my opinion have no difficulty in accepting this resolution, because it ought to know that if a Minister were to be appointed on party lines he would, after he has got into office, naturally select men for the committees from members belonging to his own party. But when, Sir, the Government chooses to appoint old Ministers in a new Council—so that the new Council does not itself know to which of the parties the three Ministers belong, then, with all respect, it seems to me that the principle adopted by them, is the principle of the Russia of the Czars, when it said to China:—“Here I am in Manchuria; drive me out if you can,” in other words, when the Ministers are able to say to the Council:—“Here we are in office; drive us out if you can,” then I am forced to say that this committee should be elected by the whole Council, by the whole House, and not from one particular party.

Now, if the declaration for the grant, or at least the ultimate scope or the ultimate end of these reforms, is the grant of full provincial autonomy and if it is sincere, then no difficulty ought to be made in granting this small concession; and I might be permitted to say that if the Government does make any difficulty in this matter, then we might be excused for holding that all talk about reforms is a pure myth.

It is a trite saying in law that, given a bad set of rules, if you have upright and honest judges to work them they will still manage to dispense justice. On the other hand, you may have the most perfect laws, but if your judges are corrupt and dishonest they will not be able to do justice to the satisfaction of anybody. Now, nobody has a good word to say in regard to the present system of government, I mean the dyarchy; but even this dyarchy can prove to be a sincere test of the absolute *bonafides* of the Government and I submit, Sir, that this is an occasion which lends itself to that test of the sincerity of the Government. The Government can let the Government by the people, go forward so far as it can help it by allowing the members of the Council to share in the matters of appointments on the transferred side. I see no harm in such a procedure at all. After all, on the assurance of the Government itself, this power is going to come into our hands some day. Why not let it come into our hands now? The sooner the better. Now, I do not know whether this matter of appointments or appointment of the committee is not entirely in the hands of the Ministers themselves, I do not know if His Excellency the Governor has not left the entire matter in the hands of the Ministers themselves. If so, they are under an obligation to us to give an account of their stewardship. We would like to know on what principle they have acted for the last four or five years, whether they have been appointing officials, if so, who were they; were they members of the Government or were they rank outsiders; were any members of the Council appointed, if so when and why has their appointment been discontinued?

[Mr. A. P. Dubé.]

It is no use for the Government to throw the blame wholly upon the people and say that the representatives of the people do not work the Reforms. How far—and we shall have the test very soon—does the Government work these Reforms in the spirit of those Reforms? Do they make the smallest concession to the popular vote if they can help it? Will they accept this small resolution, will somebody stand up on behalf of the Government and say:—"We accept your resolution?" If not, the Government is out of court, on the principle that he who seeks equity must do equity. Therefore, it will not do to say, as it has been said *ad nauseam*, that the swarajists will not accept office and therefore they have no right to throw stones at the Government and interfere in matters of appointments. This would be an appalling misconception, because the swarajists have accepted offices which depended upon the electing votes of the Council. Perhaps, Sir, the mouths of all critics might have been stopped if at the beginning of this Council some sort of consultation had been made about the appointment of Ministers, but as the Government chose to thrust upon the Council three Ministers who were Ministers in the last Council—and the last Council had no resemblance at all to the new Council—the Government has now no case at all.

Now, if the Government choose to grant this concession asked for by this resolution, I might say that the swarajists would offer themselves for election to these committees. If the Government do not do so and bring in the official votes in an undemocratic and autocratic manner to defeat this resolution, then the Government must make itself open to criticism that, like all bureaucracies, they are stopping the wheel of progress. Well, it is true that it would be convenient for the Government to refuse the request, because they might think that if a swarajist is put into the saddle, he is supposed to ride. A swarajist would like that the horse he is riding should have a free head so that he may be able to put him through all paces he is capable of. A swarajist cannot and will not like to ride a captive horse, a horse attached to a rope, which rope the Secretaries are holding on each side like syces. Now, Sir, if the Government wants such mock rough-riders, they will, I am afraid, have to go and look for them elsewhere. Now, with regard to the resolution, will the three Hon'ble Ministers, who are supposed to be working jointly, go to His Excellency the Governor and say:—"Sir, here is a small concession demanded by the Council; please let us accept the resolution; and give us the power to appoint members of the Council on these Committees." Nothing can be more natural, more decent, and more just. But will they do it? One of the Hon'ble Ministers is in hot consultation and yet I do not know what he intends to do. I must repeat what I asked before whether or not it is true that His Excellency the Governor is absolutely aloof in these matters and that Ministers are perfectly free to choose the personnel of the committee according to their own discretion. The Ministers are laying themselves open to the charge that they, like the members of the Civil Service, are using the powers entrusted to them in an autocratic manner. Anyhow, if this is a fact, then it comes to this, that this country and this province is willing to start on the twentieth century if the mediaeval bureaucracy replete with the ideas of the fifteenth century in which, I am sorry to say, some of our countrymen are included will only let it. I say that until you do away with figure-heads, you have no right to talk of the reality of the Reforms.

And this is the rhythm of the whole history of the Reforms. What can be a greater proof of the absolute hollowness of these Reforms than the fact that figure-heads rule and real men are prevented from getting even on these Committees. The Government deal with taluqdars and care not twopence for the indignation of the common man. Government, I submit, is like a drunk man terribly afraid of growing sober.

Now, Sir, the critics of the resolution would raise the cry, so constantly raised, namely, the cry of efficiency. That cry is that if you allow the elected members of the Council to get on these committees, they will not know the needs of the departments and therefore they will not be able to select the right men. This is the usual argument of the vested interests which I call "hobgoblin" argument, an argument advanced to cause terror into the hearts of men, much in the way in which children are terrified, but the Council knows that there is nothing at all in it. Now, this argument is advanced and is likely to be advanced today with a good deal of confidence, with the self-satisfied assurance, that he who questions it cannot escape falling into absurdity. But, Sir, my resolution makes a provision for the appointment of members on behalf of the Government also. Now, these two members should be quite sufficient to guide the elected majority in the committee and to impress them with the needs of the Government. Here is the Technological Institute at Cawnpore and the Government want experts for it. I should like to know how many experts are now advising the committee in the matters of chemistry and technological requisites. Here is a committee for advising in the selection of persons to go to England with State scholarships. How many experts are there? Are those experts members of the Government; are they the members of the Council; or are they rank outsiders? If they are rank outsiders, may I ask, is that a parliamentary method of disposing of the patronage of a parliamentary Minister? We shall hear something more about it from the honourable members on the opposite side, but before they do so I must tell them that at this advanced stage of the country and of the province they must abrogate the principle, the old and well-known rule of *l'état, c'est moi*. It is the business of the officials to carry on the administration and manage men and affairs by persuasion and argument. If that is the view adopted, then the Government officials should have no difficulty in persuading the members of this Council who get on the committees, and who are *prima facie* patriotic men, and who may be expected not to brush aside the reasonable advice of the departmental officials. Therefore I submit that my resolution is an ideal one because it gives power to the elected members of the Council and leaves the official to do his task the task of placing his departmental experience at the disposal of the elected members.

The Council, therefore, owes it to the country to vote solidly for this resolution and secure for itself the right to participate to some extent—that is not a large concession—in the executive functions of the Government. I hope the Council will turn a deaf ear to the advocates of the policy of *laissez-faire*, the policy of muddle through, the policy of leaving things to shift for themselves, which I think would suit the persons in power. But we know that it is necessary for the members of the Council to make a beginning—small though it is—in order to know something of the practical side of the Government also.

[Mr. A. P. Dube.]

We must remember that political advantages and political concessions that have been secured are kept and maintained by the same means and methods by which they have been won. We must know and boldly declare that the stage has been reached in the country as well as in this province when we Indians alone can supply the mind and character capable of handling the colossal task of Indian Home Rule. The inevitable corollary to this is that we must be bold enough to declare with a certain amount of self-confidence that the conceptions of Indian conduct and Indian society entertained by the European ruler are wholly incorrect and that the amount of attention and the scope of interest shown by him are utterly inadequate.

Now, Sir, when we want political advance, when we want to get into power in the Government, we are told that we have no practical knowledge of Government. But when we want to make a paltry beginning by getting on the committees, which has got the power of making appointments, we are told, and we shall be told again that efficiency will suffer. Well, Sir, these are the things for which the bureaucracy has been known since a very very long time. This reminds me of an incident in history which has received the famous name of "Morton's Fork". This will take us to the time of Henry the VIII. How odd! Henry the VIII is being compared in the twentieth century with the present Government. Henry the VIII had devised a means of wringing money from his wealthy subjects and to this money he gave the name of "Benevolences." One Cardinal Morton was employed to collect this money for him. The device adopted by Cardinal Morton was very near the device acted upon by our rulers. To those who were well off and living splendidly, Cardinal Morton would go and say:—"From the way in which you are living it is certain that you can make a handsome donation to your sovereign." To those who were obliged to live in a narrow and pinched way, Cardinal Morton would say:—"The mode of your living shows that you are saving a good deal and must have become rich, therefore you also can make a handsome donation to your sovereign." So Cardinal Morton's dilemma had everybody on one or the other of the two horns. The same is the case with our bureaucracy; it has you both ways, "Heads they win, tails you lose." This talk of efficiency does not apply to the heaven-born service; their inefficiency is out of account. All that you have got to do is to make the requisition and the able man comes out almost like a box of matches from an automatic machine by merely putting a penny in the slot. There is no confusion in my ideas so far as I can understand the subject. I have said that in ordinary legislatures the Minister is not only responsible to the party to which he belongs but he is also controlled by the party. What do we find here? The Minister gets into office; he is entirely cut off; he is not entirely dependent on the votes of the elected members of the Council but depends entirely on the official votes. There he sits in solitary grandeur dispensing patronage as he likes and having no relation to the discharge of public duties which he is expected to discharge to this side of the House. Therefore I commend this resolution to the House with the remark that when members of this committee are appointed care will be taken that there will be no preference for one community or another in the hands of the committee. The committee

will be there ; for a year it will be put to the test of exercising a public function honestly, squarely, and fairly and if any of the members fails in the high office there will be time to hold him to order. Secondly, it has been said that the members will be subject to influence. I have been an examiner and I know that, although the papers are kept secret and the names of the examiners are kept confidential, boys know them. And if we are going not to appoint a man for the fear that he may be influenced, then we might indeed wait for ever. With these words I commend this resolution for the acceptance of this House.

Rai Bahadur Lala Jagdish Prasad : If I rise to speak on this resolution I do so with a certain amount of diffidence. I doubt—with due deference to my friend Mr. Dube—if the resolution as it stands will serve a very useful purpose. My reasons are three-fold. Firstly, Sir, I consider that when we have recognized the principle of appointment of Ministers we must allow them a reasonable amount of independence in the matter of appointments of Government servants in their respective departments. The Council is only entitled to lay down broad principles of policy, but in my humble opinion it should not be the business of this honourable House to interfere in such minute details of the business of Ministers as appointments to services in the transferred departments. My second difficulty is this. At present, so far as I understand, on the committees which are appointed by Government for nomination of candidates for posts in these transferred departments one or two non-officials are appointed. Now, these non-officials ought to be of special aptitude. I cannot say whether Government observes this principle in practice in the matter of appointment of these non-officials, but I mean to say that the principle should be that such non-officials should be appointed to these committees as possess special aptitude in those branches for which the recruitment is to be made. The personnel of the committees is at present kept confidential, but our everyday experience is that the candidates try to find out the names of the members of these committees, and as soon as some of them get to know of the personnel they try to approach the members and try to bring all sorts of pressure to bear on them to gain their favour. Now, if a committee were to be appointed, as suggested by the resolution, the majority of the members of which were to be elected by this Council, the personnel of this permanent committee will be public property and there will be no end to candidates approaching the members with all sorts of recommendations, so much so that I fear that the discretion of the members will be hampered to a great extent. The third difficulty which suggests itself to me is, that this committee will be a permanent committee and the Council cannot provide that all sorts of interests will be represented on it, namely, that the members elected by the Council would be such as may be specially interested in or who may be possessing ample experience of all the departments, e.g., of agriculture, excise, registration, public health, education, local self-government, and so forth. Although I consider that the present system of appointing committees for the nomination of candidates is not an ideal one, because there is a suspicion lurking in the public mind that such non-officials are appointed on these committees as say “ditto” to the Government proposals, but at the same time I fear that if this resolution were given effect to, the remedy suggested will perhaps

[Rai Bahadur Lala Jagdish Prasad.]

be worse than the disease itself. I may say, Sir, that I am still open to conviction. If my honourable friend the mover were to convince me, or if from the speeches that are made hereafter I am convinced that the resolution will serve a useful purpose, I will certainly vote for it, but at present, having given expression to my difficulties, I feel that until I am convinced I should not vote in favour of the resolution.

Pandit Bhagwat Narayan Bhargava: I think a careful perusal of the resolution itself will convince a reasonable mind that the difficulties which appeared to crop up to my friend who has just spoken will at once disappear. My friend Rai Bahadur Lala Jagdish Prasad says that the discretion of the Ministers will be interfered with if this resolution is passed. The resolution does not say that the committee which will be appointed will appoint these persons or will finally select these persons. The resolution simply says that the committee will nominate certain candidates, the final selection and appointment resting with the Government. Certainly Government will do so after considering the opinion of the committee. Then it is not for each and every appointment that the resolution wants a committee to be appointed. My friend was wrong in thinking so. He said :—" We should not interfere with the minutest details about which Ministers should exercise their discretion." The resolution simply wants that for the appointments for which up till now *ad hoc* committees were appointed, only this permanent committee is to be elected, and it should be adopted. So in this way the discretion of the Minister or of the Government will not at all be affected by the appointment of this committee. Then, Sir, my friend suggested that unless there are some persons on the committee of special aptitude, I am using his own words, persons who have special interest in special branches of the administration, the resolution cannot be a useful one. If he had read the latter portion of the resolution he would have found that it gives discretion to the Government to suggest two members to be co-opted on the committee in each case, so the Government can very well suggest the names of two such persons who will have special aptitude in these branches of knowledge. They can even give their own secretaries if they like ; the resolution does not say that these persons shall be non-officials ; they can be officials. The object of the resolution is that as at present transferred departments are supposed to be controlled by the popular voice, because the Ministers are supposed to be belonging to the party which is in a majority in the Council, that there should be a popular control over certain appointments of the transferred departments. We are not asking for too much. We simply come up with this resolution in keeping with the present policy and with the constitution of the existing Government. Then, Sir, if my honourable friend who opposed this resolution thinks that the election which will take place here in this Council will not be conducive to good results because the honourable members of this House will readily succumb to the representations and to the canvassing of the various candidates or their friends ; if it is really thought that the honourable members of this Council are so weak-minded that they will lose the power of their discretion, that they will not exercise their discretion in selecting the best candidate, then, I think we are not even fit to give our opinion on any matter in this Council. Those who think like my friend will be surprised to find that even in these *ad hoc* committees such canvassing

has been going on. Technically the committees which are appointed now are not public property; but the names of members do get out by some means or other—through the office or through some other source. Certainly there are some non-official members on these committees, and their names cannot be kept confidential. If the arguments of my friend were to be accepted then there should be no committees at all. Even the names of Ministers should be kept confidential in order that the candidate may not know which Minister is going to make the appointment. If he knows the name of the Minister he can approach him through the member of his own constituency or through some other friend of the Minister, and in that way the whole scheme of making appointments with impartiality and due discretion will be defeated. The object of the resolution is that in the matter of appointments the people's voice should be given greater weight and greater regard and importance than hitherto. If honourable members of the Council are elected on that committee I think we will not hear of such things as non-competitive competitive examinations—examinations which are competitive but which in the result are regarded as non-competitive. The posts are advertised to be given by the result of competitive examination; at the same time it is said that the results of the competitive examination will not be the guiding factor in making selections for the posts. Such things will not be heard of as we have been hearing of during the last few months. If the committee as suggested in the resolution is appointed, efficiency will not suffer in the least, as will be clear from the latter part of the resolution. We will have official members on it as recommended by Government. We will have elected members of this House also there and thereby every shade of opinion can be represented by means of election. Certainly the majority will be that of the non-official members, and that is what we want. I think there should be no difficulty in accepting the resolution. The discretion of the Government will not be affected; efficiency will not be impaired, and the view of the Government does not remain unrepresented by the constitution of such a committee.

Raja Kushal Pal Singh : It is a matter of no small regret to me that I have to oppose this resolution moved by my esteemed friend Mr. A. P. Dube. Any attempt to encroach upon the administrative function of the honourable Ministers should be deprecated. It is for the Ministers to choose persons who are to help them in the selection of candidates. Our Ministers have to perform duties of a nature requiring the genius, the foresight, and the sagacity of the statesman. They have piloted the administration of the transferred departments with great skill and energy, and it seems inconceivable that, in spite of all the resources of their talents, they will fail to select suitable persons for selection boards. The Royal Commission is about to visit India. If this resolution is accepted by the Council, the impression on the minds of the members of the Commission will naturally be that in the opinion of the Council, the Ministers are incompetent to select right men for the selection boards. It must be borne in mind that the success and distinction achieved by our Ministers in the administration of transferred departments will strengthen our hands in making a demand for further instalments of the Reforms.

Thakur Manjit Singh Rathor: I am much surprised at some of the observations made by the opponents of this very sensible resolution that has been moved by my friend Mr. Dube. This Council in particular and the people of India in general have been demanding that the representatives of the people should be given greater responsibility and authority, and consequently I was much amused to hear when Rai Bahadur Lala Jagdish Prasad said that if the members of this Council are appointed on the selection committee, the efficiency of the men that will be nominated will be greatly impaired. Far more was I amused when I heard the Hon'ble Raja Sahib, who has just preceded me. He seemed to think that the independence of the Ministers would be greatly curtailed, if effect was given to this resolution. He was further pleased to observe that the impression that would be produced on the mind of the Statutory Commission, which was going to visit India shortly, would naturally be that the Council had no trust in the Ministers, and that therefore whatever little power they enjoyed would be further curtailed. This reference to the Statutory Commission reminds me of its composition. It is said that the Commission would consist only of members of Parliament, who would examine the administrative machinery of such an important part of the Empire as India. On the one hand, therefore, this tendency is at work in England, and, on the other hand, it is stated that if a selection committee consists of members of this House, it would greatly impair the efficiency of the services. Mr. President, I beg leave to observe that it is a very sad commentary written up by ourselves,—upon our abilities and upon our capacities. If we think that this House is not even qualified to select suitable candidates or to recommend suitable candidates, I think this House has not got enough justification to exist. If the honourable members think that the members of this House are not in a position to make proper recommendations of the men to be selected or to be nominated for service, I think they have got a very poor opinion of themselves. I for one am not prepared in the remotest manner to endorse that view. The demand of the Indian people is that we want the executive to be responsible to the Legislature. In the present resolution we want only a fraction of the executive to be responsible to the Legislature. The fraction is the Ministers themselves, the who are in charge of the transferred departments. I really feel very awkward when such observations are made. Our Ministers have got very little powers which they enjoy at present under the Reforms. I wish they should have more powers and should be more responsible to the Legislature. It is not my desire—in fact it is far from my mind—to take away the little independence which they at present enjoy. My submission is that this resolution if accepted will not only not take away their independence but will make them more responsible to the Legislature. The Ministers are nominated from among the honourable members of this House, and I do not see how this resolution takes away their independence. I do not see how efficiency will be impaired or marred. This suggestion that efficiency will be impaired shows that the honourable members who have put forward this suggestion have not got and do not possess self-reliance, do not possess sufficient faith in their own capabilities. As regards the point raised by the Raja Sahib regarding the Royal Commission, I have already said what I had to say. In the circumstances I think that a committee should be appointed from among the members of this House to

make recommendations relating to persons to be taken into Government service in transferred departments. This is the right thing in the right place and therefore I think the Government should take necessary action on this resolution. With these words I support the resolution which has been moved by my honourable friend Mr. Dube.

The Council was here adjourned for lunch.

After the recess, the Deputy President took the Chair.

Khan Bahadur Mr. Masud-ul-Hasan : The resolution moved by my friend Mr. Dube has raised a very important issue concerning the rights and privileges of the House and the Ministers. He has delivered before us a long lecture on constitutional rights of the executive and the Legislature. In his opinion, in the interest of the public, it is necessary that a committee of a permanent nature consisting of a majority of elected members of the Council, not nominated by the Ministers but elected by the whole House, should be appointed for selecting candidates for various services. He is of opinion that under the present dyarchical system the Government is not under the popular control of the House which members can exercise through the Ministers. He also complains of the methods by which the Ministers are appointed. On the constitutional questions raised by my friend I may be permitted to make an observation and that is this: A representative institution like the Council is not an indigenous institution of India. It has been borrowed from the West and implanted here by the British Government. If the institution is acceptable, then my submission is that we cannot but work it on the same lines as similar institutions have been worked in the West. If it is a democratic institution, if it is an institution which controls, if not the whole, at least the half of the Government, then the Ministers here must have all those privileges which a Minister possesses in England. I am not aware, but my friend the mover of this resolution might be able to enlighten this House, whether similar rights are exercised by elected committees in England. No doubt for certain objects, committees are constituted, even in England, but the committees there are all constituted by the Ministers. The greatest point which my friend has tried to make out in this direction is that the Ministers are only the creatures of the Governor, who is the head of the bureaucratic Government established by law. It may be true: but may I ask my honourable friend whether, as far as the transferred departments are concerned, Ministers are not responsible to the House? And if they are responsible in theory, the House can make them responsible in practice. If the policy of a particular Minister is not acceptable to the House, it is open to the House to move a vote of "Non-confidence." Carry that motion out and put the Minister out of office. If the "bureaucratic" Governor substitutes in his place another person of the same calibre who is not acceptable to the House, the same process may be repeated. Is it fair that while a Minister is held responsible for his department, you take away all the powers he has to exercise and leave him on the one hand to be directed by the Governor while on the other you deprive him of all the powers that the law has given him? Surely, if you make an experiment of this nature, then you are going to demonstrate that while you wish to create a responsible ministry under the control of a popular

[Khan Bahadur Mr. Masud-ul-Hasan.]

legislature at the same time you deprive it of all the powers and liberty of action and thus prove that you are incapable of running a responsible Government. A minister is entitled to some consideration at the hands of the Legislature. Take the case of the Minister in charge of Education. If the whole House or the elected committee of the House is to control his department, the result may be unfortunate. In case the committee's advice is not acceptable to the Minister, however good the Minister may be however bad may be the result of your election in the form of a permanent committee, you will certainly have a great complaint against the Minister and you will turn round and say :—" Well, you may be the Minister, you may be responsible to the whole House, but since we have elected a committee and you have not followed the advice of that committee, well, you must clear out." That is not the way to run a responsible government.

Rai Bahadur Lala Mathura Prasad Mehrotra : Will you join us ?

Khan Bahadur Mr. Masud-ul-Hasan : I do not know what I will do. If you carry the logic of this resolution little further, a day might come when you will ask, " Let Ministers be elected by the House."

Babu Bhagwati Sahai Bedar : Will it be a sin ?

Khan Bahadur Mr. Masud-ul-Hasan : I do not know if it will be a sin, but I would like my friend to study the working of popular governments and see for himself how they are worked. A popular government does not mean that a minister must become an absolute creature of the Houses, he should have no liberty of action whatsoever. My submission is that this resolution may sound well ; it may look to be perfectly innocent and may appeal to your sentiment ; but when you will put the resolution into practice you will find a hundred and one difficulties in the way of developing the various departments that are in charge of Ministers. My friend also made a very serious objection with regard to one point. It was this, that the Ministers have got very powerful secretaries and under-secretaries who are permanent members of the bureaucratic service. With the latter portion I entirely agree. You will find in England that permanent secretaries who are really in charge of the various departments are the members of permanent services. They and they alone are the men who have to deal with the daily routine work of the departments. In India if this Council had allowed the Council secretaries to be appointed, probably the conditions would have been different. But thanks to the efforts of our predecessors in the Council, they did not see the utility of the Council secretaries and therefore they left the ministers entirely in the hands of the permanent staff. If we allow this experiment to go on even for a moment, I am afraid the result will be much more disappointing than what we are every day experiencing in the local bodies. The local bodies have got dual duties to perform, that is both executive and deliberative, and the results of this defective system are not either fortunate or encouraging. Therefore, I think if you will leave the selection of services entirely under the permanent staff with such control as the law allows us to have, we will not be hampering progress ; but if you adopt the policy that has been initiated in this resolution that will not be a forward step, but in my submission a backward one. It has been suggested that election would improve

the status of the committees, in as much as the whole House and the public will have more confidence in them. The difficulties of having elected committees are very, very great. It has been suggested, and rightly suggested, by my friend the member for Muzaffarnagar that it will open an avenue for canvassing and the members will have to face a lot of troubles, as canvassing and favouritism in this country, even in cases where they should not be resorted to, are very common.

The more we avoid it the better. A departmental committee, if appointed, consisting of such members of the House who understand the business of the department concerned can be more useful than such a popular committee as is suggested, because the permanent staff cannot succumb so much to the canvassing as, unfortunately, the members of the House do.

In the end I would like to say a few words with regard to another point that was raised by my friend the mover; it was with regard to the responsibility of the Executive to the Legislature. As I have said, if you really want the Executive to be responsible to the Legislature, you should also leave such powers with the Executive which the law confers on the Minister. It is no use having an executive shorn of all the powers and then saying that the Executive should be responsible to the Legislature. If they are responsible they should enjoy their full rights and privileges. Let them exercise those rights, let them exercise the control as much as they like, but do not make your Ministers entirely impotent and make them a laughing-stock in the eyes of the world. If you are following the democratic model of England, then it is no use working the institutions in your own way. I would like to give an instance. If you want to run a very good train and put on the train a powerful engine, and you put it in charge of a cart driver, that driver is sure to finish everybody in the train including the engine itself. It is no use blaming the bureaucracy for putting obstacles in the way when we are ourselves creating obstacles in the way of Ministers and do not allow them to carry on their work in a constitutional manner. With these words I oppose the motion.

Babu Sampurnanand : I had no wish to take part in the debate on this resolution, for I was confident that the able advocacy with which the resolution was moved would be enough to commend it to the House, but great as was the regret of an honourable member over there at having to oppose the resolution, my surprise at the volume and the nature of the opposition to this resolution is all the greater. It is a revelation to me to find that we, who are representatives of a people struggling to gain its freedom, are so terribly afraid of ourselves that we cannot trust our own sense of responsibility, our own power to resist temptation and our own impartiality. After all there are such committees and there are members who sit on those committees. I believe that some, if not all, of the members of those committees are Indians and those members have been working in such a way that their records are without any blemish in the eyes of the Government and have so managed their work that the efficiency of the administration has not been impaired. If this is the case, I do not see why committees composed of members of this House, who are after all people like those who generally compose these committees, should not do their work equally well. Some objections have been

[Babu Sampurnanand.]

raised against this. It has been said that the names of members would be public property and that the interested persons would approach them in so many different ways and that the members concerned would find themselves in an awkward position. I can quite visualize this possibility, but the difficulty in this case would by no means be greater than the difficulty which possibly arises in so many other cases, for instance, there are so many important cases coming before the courts and the presiding officers are assisted by jurors and assessors. The names of jurors and assessors are public property and probably interested people are going to jurors and assessors, but all the same I believe there is no one in this House who is prepared to advocate that the system of trial by jury should be abolished for this reason. Again, chairmen of local bodies, heads of departments and Ministers themselves have a large amount of patronage in their hands and their names are public property, but I believe there is no one here to advocate that this powerful patronage should be taken away from their hands simply because their names are public property and because the danger is that interested people would go to them for their support. Another objection was raised, and a very curious one. It was said that a resolution of this nature was a condemnation of the Ministers. It was made out that our Ministers, not only the present Ministers, but all Ministers as such, are men of genius who are doing their work with an amount of efficiency which can not be equalled and to appoint such committees would be to suggest that they are inefficient and incompetent. If that argument were to be granted, then I suppose we would have to abolish the Board of Public Health, the Excise Advisory Board, the Local Self-Government Board and the Council of the Secretary of State for India. In all these cases the officers are assisted by these advisory committees, and the mere existence of them would be proof that those officers are incompetent and inefficient people. I am sure no one is seriously meaning to put forth that argument. Again, it has been sought to be made out that the proposal that members of the committee should be elected by this House is a novel one. Probably it is, but it must be remembered that the proposal has been made in the novel circumstances in which we find ourselves, as was ably pointed out by the honourable mover of the resolution. In other countries, as soon as the Minister gets into office, his party automatically gets into power, and therefore in making his appointments he has the automatic support of a large section of the House. This is not the case here. So long as Ministers here have at their command the votes of a solid official block, they can not in any sense be said to be responsible to the Legislature. For these reasons, it would not be safe, in the novel and curious circumstances in which we find ourselves, to give them the power to nominate members to these committees. If these present circumstances pass away, it might be possible to re-model our practice on the practice which obtains in other countries. And after all I do not see why there should be so much misgiving. If such a permanent committee is appointed, the recommendations of the committee will not be mandatory, but they will be merely advisory. If the Minister in a number of cases finds it possible for him to accept their recommendations, his position will be all the stronger, because it would be held that he has the majority of the House at his back. He will not be subjected to that

criticism—needless perhaps—to which he is at present exposed. If, on the other hand, in exceptional circumstances he finds that he cannot possibly accept the recommendations made by the committee, he will be free to do so, because, as I have suggested, the recommendations of the committee will be advisory and not mandatory. I therefore fail to see why there is such a stout protest against this resolution. What this resolution does is simply this; it would be bringing the spirit of our practice, if not its form, into line with the spirit of the practice that obtains in other countries which have better constitutions. I therefore hope that the House will lend its support to this resolution.

The Deputy President : There is an amendment standing in the name of Babu Rama Charana.

Babu Rama Charana : I do not wish to move it.

The Hon'ble Rai Rajeshwar Bali : I must congratulate the honourable mover of this resolution on his very interesting speech, though I am afraid that he was carried away by the flow of his intrepid eloquence into divergent channels. If he will re-read his speech in manuscript, as I am sure he will, he will find that on many occasions he was tempted away by high phrases and missed the main object of his resolution. In pointing out the defects of the existing system he simply made vague generalizations and did not care to examine in detail the system as it obtains today. I think the burden of proving that the present arrangement of the appointment of *ad hoc* committees by the Government was defective lay on him. He has not given one simple instance of any committee where we had appointed men who, to quote his own words, were docile or from whom independence could not be expected or persons whose love of country has not been tested. On the other hand, I can cite to this House the personnel of all the committees which we have appointed, and I can challenge that it would be difficult to doubt the *bona fides* of the members of those committees.

I would not go into the details of the other charges which he made against the Ministers and dyarchy and so on, but I think his attack on the zamindars and taluqdars was a bit unwarranted. Then he was so inconsistent. He began by saying that in England when a Minister is appointed, his party comes into power and the power of making appointments comes into the hands of that party. At the same time he suggested that in future—and that is the object of his resolution—committees should be elected by the whole House and not by one party. I do not see how the two statements are consistent. However, I would leave that point.

I think the members who have been appointed to these *ad hoc* committees can well defend their own position. In fact I may say that on one of the committees his own leader is going to be appointed. He has already been informed, and if he agrees, he will be appointed.

Mr. A. P. Dube : After this resolution was tabled.

The Hon'ble Rai Rajeshwar Bali : No; he was appointed long before that. However, that is not the point. The point is this, that I am ready to place before this House the names of the members who were appointed to these committees.

Mr. A. P. Dube : Please.

The Hon'ble Rai Rajeshwar Bali : In the committee which we set up for the selection of the Principal of the Cawnpore Technological Institute we appointed Sir Tej Bahadur Sapru, the Hon'ble Mr. Justice Sulaiman, Mr. Clarke, and the Director of Industries. In the committee which we formed for selecting a manager for the Arts and Crafts Emporium we appointed Sirdar Nihal Singh, Mr. Kharegat, Mr. Haldar, and the Director of Industries, and this committee suggested, not a person who could be suspected of having influenced the members, but somebody from Bombay. I would ask the honourable member to point out instances of committees which have been appointed simply in order that particular persons may be recommended by that committee. If that has not been the case, I do not think the arguments which he advanced can hold ground for a single minute.

Then, Sir, I would also like to clear a misunderstanding which exists in the minds of the honourable members. It has been suggested that we distrust the members of this House. That is not a fact. If we had not been appointing members of this House to these *ad hoc* committees, the statement would have been justified, but as a matter of fact on most of these committees we did appoint members of this House. The only difference between the existing position and the position which is advocated by my honourable friend is that, while we choose the members of the House, it is suggested in his resolution that they should be elected by it, and, secondly, that there should be a majority of the elected members of this House. Now, Sir, there are serious objections to this procedure. As has been pointed out by my honourable friend the member for Muzaffarnagar, we do find—I can say from my personal experience—that it is difficult, I do not say it is impossible, but it is difficult, for the elected members to resist the pressure that is put upon them. I can say with pride that there is a large number of members of this House who can resist that pressure, but there are uncertainties and exigencies. The persons who are best qualified on account of their knowledge and experience to choose for one department may not be equally suitable for selecting men for another department. Those who may be qualified and who may be suitable for selecting men for a certain class of offices may not be equally suitable for selecting men for another class of offices. Therefore we have to take into account the uncertainties and exigencies of election taking place in this House; and then, Sir, as has been pointed out by honourable members, after all we are responsible not only to this House but also to the public for recruitment to these services. If we fail to discharge our duties faithfully, the House can always call us to account, but if a committee which is annually elected fails to discharge its duties, how is the House to call the members of that committee into account except by not electing them next year; but in the meantime wrong might have been done. Therefore, I do not think that we can divest ourselves of responsibilities of making those appointments and appointing those committees. We have been told that we are carrying on the administration on the fifteenth century ideals. Something like that was said by my honourable friend, and that some day this power will come into our hands. Let it come today.

Sir, my knowledge of constitutional government, I must confess, is very limited. But so far as I know I do not think that even in countries which have got full responsible government the functions of the Executive are shared by the Legislature. There is always a distinction

between the legitimate functions of the Executive and the legitimate functions of the Legislature. The Legislature's business is to control the action of the Executive and, if it fails to discharge its duties, to bring it to account, and to see that it goes out. But I am not aware of any instance where the whole House is responsible with the executive for making appointments. I should think that even when we have got swaraj this state of things would never come, and if it comes I am very doubtful about the wisdom of this policy. I therefore think, Sir, that the suggestion contained in the resolution is an impracticable one. If the Government is to be responsible for these services, it should have power for appointing committees. I do not say, it is not suggested—and I want to impress this upon the honourable members, it is not the practice that in making appointments we are not guided by non-official opinion. We are guided by non official opinion, but as to which non-official's opinion we must take, that is for us to decide.

Here the Hon'ble the President resumed the Chair.

Pandit Govind Ballabh Pant: I am prepared to accept the force of some of the arguments that have been advanced by honourable members and the Hon'ble Chief Minister in opposing this resolution. [A voice "Who is the Chief Minister?"] Every Minister is a Chief in the opposite benches because every one stands for himself and for nobody else, so instead of calling one only a Minister I could perhaps on my own account, spontaneously and voluntarily raise the status of every one of them to that of a Chief Minister. So, Sir, fully appreciating the force of some of the remarks that have been made, I still feel that, taking the facts and circumstances which have a bearing on the present state of things into account, this is a sounder proposition which deserves to be accepted. It cannot be denied that so far as the average citizen is concerned he comes directly into contact with the man who has to give effect to the policy which is laid down by this House, or by those who are above us in the sphere that is their jurisdiction and not ours. So far as the ordinary citizen is concerned, the method of appointment of those who have to execute the policy is as important for him as the selection of those who have to lay down the policy, for, however sound the policy, however perfect the principles laid down by Legislatures, they can all be rendered futile, useless, and even mischievous if those who have to give effect to that policy are not fit and competent to do so. In these circumstances, and with this view before us, nobody would perhaps deny the importance of the machinery by which the selections for these posts are made. It should be such as would enable the tax-payer to get full value for the money which is spent over the man appointed to look after his interests.

Sir, some of my friends who have made their observations in this connexion do not seem to have taken note of the terms of this resolution, and, they do not seem to have fully borne in mind the present state of things and the way the appointments are made today. The resolution refers only to those appointments in transferred departments. Again, it refers only to those appointments which are being made today through *ad hoc* committees; and again the personnel of the agency which it seeks to set up will remain in existence only for a year and will not be of a permanent character. Ordinarily one would not expect

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more than one or two or three appointments to be made in the course of a year by such a committee, and I think that, as we can trust the Minister to be impartial, to be independent, to be above temptation, we may as well expect that this House is capable of electing, not only five members to advise the Ministers in this connexion, but perhaps many more. It would be a sad commentary on our sense of self-confidence, on the sense of impartiality, that we have in our colleagues here if we were to hold that every one of them would succumb to the temptations likely to be held out by those who seek these jobs. Is not the Minister himself an elected member of this House? After all, is he not interested in keeping his political ascendancy much more than anybody else on this side? Is it not to his interest to keep that party in power whom he happens to represent in this House for the time being? For whom are the temptations greater, for those who are in power, who can distribute all this patronage, who can enjoy all the privileges of office, or for those who are in the opposition and have only to suffer the agony of seeing their propositions either defeated or not carried, and who are still disinterestedly carrying on a bold fight against odds in this House? If it is to the interest of Ministers to retain their power, if they are interested in preserving and strengthening their hold and influence, then it should be really difficult for them to resist self-regarding considerations completely. These things do influence men where their own personal interests are concerned. In case the logic of this argument is admitted, I should say that it is absolutely desirable that the Ministers should wash their hands of all these matters. Those persons whose office is of a political character should have little concern with appointments of this character. But what do we see? We have not a Public Services Commission. If we had one to deal with these matters under a responsible system of administration consisting of people directly or indirectly responsible to this House perhaps the difficulties with which we are face to face would not have arisen. But here we see that there is not a Public Services Commission. We see further that the appointments are not made on a competitive basis. The Ministers have relied so far on *ad hoc* committees. Well, the Hon'ble Minister has challenged the mover of this resolution and has complained that he did not refer to a single instance. I can assure him that if I refrain from referring to any of the appointments made, it is because I think it does not suit the dignity of this House to make remarks disparaging to any officer appointed in the prescribed manner on the floor of this House. I would not like to say here publicly that a certain gentleman who was appointed at the instance and on the recommendation of a certain committee was not fit or competent for that job. But I can assure him that complaints have been heard, and there are reasonable grounds for holding that some of the appointments were not of the best sort. I put it directly to the Minister to tell us whether he is satisfied that all the money that is being spent on transferred departments today is fetching its full value. Is he satisfied that every man occupying a post is worth the money that he is being paid; whether every one is possessed of that initiative, of that strength of character, of that ingenuity and intelligence, of that energy, of that devotion which are needed in a person who has to develop the country. In

these circumstances the Hon'ble Minister can search his own heart and examine the appointments that have been made and satisfy himself if there have been cases in which men with better qualifications were not selected and those who do not seem to be fit were put in. If the position as I have stated it is correct, then I leave it to the Hon'ble Minister to say if the agency by which the selections have been made has proved satisfactory.

Then, again, the Hon'ble Minister has challenged and asked, how was the constitution of these committees defective? Again, I will not be drawn into making invidious distinctions, but I may tell him that I had elicited information on the subject by means of a question answered on the 2nd April. The constitution of the various committees that were appointed for the purpose is given in answer to that question, and I need only say this much that not a single non-official was appointed chairman of any one of the various committees that are mentioned in the list I have here with me. I may further say that there was no non-official majority in any one of those committees that were appointed by the Government. I may also most humbly state that the names of the non-officials given here do not show that every one of them was possessed of expert qualifications in those lines to which those appointments related. So what was it that led the Hon'ble Minister to make the appointments on these committees? Of course there is one invariable rule, that nobody has been appointed on whose support the Hon'ble Ministers do not rely in this House, and that practice has been followed without any exception right through. Perhaps it is risky to trust those who do not own allegiance to the Hon'ble Minister and he finds it congenial to select those on whose advice he can rely with eyes blindfolded. In the case of his oppononts he would have to scrutinize their recommendations with greater vigilance than in the case of those from opinions he would have no opportunity of differing and who on their part could never be suspected of any want of loyalty to him or his wishes. That practice he has invariably adopted. If he wants he can look at this list that I have—it was supplied to me by the Government. It covers the period from February, 1924 to February, 1927. In these circumstances I hope the Hon'ble Minister will have the fairness to admit that the course that he has adopted so far is not free from criticism, that in this imperfect world even this thing of his has not been perfect. If it is so, it is just possible for him to consider whether the suggestion embodied in the resolution is or is not a sound one. I may say that when it was suggested that these persons should be elected, the idea was that the election should be on the basis of single transferable vote so that different groups in the House might be represented, not only the majority party, so that persons holding different political opinions might be in a position to advise Government as to the suitability of the candidates who might be selected for one or other of these posts as they fall vacant. Sir, it is, I think, absolutely necessary to appoint as public servants those people who are above political influences and who are above political prejudices. If appointments are made by the Ministers at their own instance they are likely to be influenced by political considerations. I dare not say that the present set of Ministers has been so influenced, but it is possible that others may not be as strong, impartial and independent as they are. If, therefore, committees are formed with

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members of different political views, then these appointments would cease to be influenced by political considerations. It was asked in which country are appointments made by representative bodies? To satisfy the Hon'ble Minister's curiosity, I should like to say that such is the case in the United States of America, in Switzerland, and in some other countries. But I do not care to draw an analogy from the constitution of another country. In this complicated and complex system of ours in which we live we cannot find any analogy anywhere else. We are living under a system which is in every way an autocratic one. Here the Ministers, even if they do not enjoy the confidence of a majority of the House, go on merrily in their offices with the help of the official block. Can anybody quote a single instance of this sort of affairs from the constitution of any other country? If not, why ask for an analogy? Rely on your own strength and on the strength of the official block behind you, but do not talk of constitutional precedents or propriety. So, Sir, when I say that appointments should not be made on the recommendations of *ad hoc* committees appointed by Ministers, I am also influenced by the fact that under existing circumstances the transferred departments are being administered by Ministers who do not in fact enjoy the confidence of the majority of the non-official representatives, and when they do not have such confidence, they have naturally no confidence in the appointments that are made by them. At the same time we suspect that some of these appointments have not been made on the ground of merit only and without any extraneous considerations. If, therefore, these appointments are to be made by a person holding a political office, then the personal and political factor should be neutralized as much as possible; and the only way to do so is to allow every group of members in the Council to elect a representative of their own, to form a body to advise the Ministers. The Hon'ble Minister is apprehensive that the committee might do a thing, at once most stupid, dangerous and suicidal. Should such be the case, it will be open to him to discard the recommendation of the committee and to make an appointment which he thinks will secure him the support of the House. Then it has been said that experts cannot be found in this House who would be equally conversant with all departments of life. I am prepared to admit it. I am also ready to grant that an individual may be acquainted with one or two lines, but he cannot be familiar with many. But, after all, are the Hon'ble Ministers who have to administer the various departments experts in every line? Has it not been found that those who are not experts are sometimes in a much better position to take a liberal and wholesome view of things than persons who have the narrow vision of an expert? In this resolution a suggestion has been made that Government will be free to nominate two persons to work on the proposed committees. They will be the co-opted members of the committees. If the Government are so minded, they will nominate experts in the line with which the committee has to deal on a particular occasion. So this resolution does make provision for them. They will be there to give expression to the expert view. But I must say this, that it is necessary that nominations should be made by people who are not obsessed with their

regard for expert advice alone. This country has suffered a lot on account of that. Much of the misery to which we are subjected today would have been avoided had the people in power taken a liberal view of things and had they not been domineered by expert opinion. It would enable the Ministers to get the opinion of those who can take a comprehensive view of things while making such appointments. It would be best if such committees are not dominated by experts. Committees appointed formerly are said to have been so dominated, but the results have not been unobjectionable. The Hon'ble Minister has told the House that I have been asked to serve on one of those committees. I am, however, thankful to him for having concealed the nature of the work that this committee has to do. But I can assure the Hon'ble Minister that I have no grievance of a personal character, as neither I nor anyone else on these benches is anxious to get into such committees. I may also tell the Hon'ble Minister that while moving such a resolution we want to protect him against various things, against embarrassments to which he must be subjected, so long as the people are under the impression that appointments are made by him. I believe that from morning to evening there must be a stream of people rushing into his room every day. It is to protect him against all this embarrassments that we have moved this resolution. We want to put him in a position in which he could say:—"Do not come to me, the appointment will be made by the committee and I have nothing to do with it." If a Minister took a dispassionate view of this matter, he would consider it desirable to wash his hands of all these appointments so as to avoid a lot of needless botheration. Let others do it. It would have been much better if all these appointments could be made on competitive basis or through the Public Services Commission. But so long as the Ministers are not fully responsible, so long as you have not got a responsible system of government, I am not in favour of transferring these appointments to the care of the Public Services Commission, which is dominated by people over whom we have absolutely no control and who are not amenable to our wishes. The other method is by competitive test. This cannot be done, because for every single appointment of an unusual character you would have to go through a very circuitous course in every case. You have first to define the qualifications, to prescribe the nature of the test, and then to ask people to compete for it. Therefore the only other method of appointment is by means of selections by a competent body which is composed of accredited representatives of the people. In these circumstances the best solution is suggested in the resolution which has been moved by my friend Mr. Dube in his own eloquent way, and I hope this House will after carefully considering it accept it.

Khan Bahadur Maulvi Fasih-ud-din : There are some of us who occasionally indulge in the pleasure of prefacing their speeches with the remark that they did not wish to speak, but that they did speak for this reason or that, and in spite of the fact that this declaration constitutes a sort of hidden boast that one can afford to be an *extempore* speaker, I take the liberty of making a similar declaration, and this

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for the simple reason that I was waiting and holding my breath so that my own resolution, which is No. 5 on the list, may be taken up. But the turn which the debate has taken leads me to think that for any one who has got any ideas on the subject it will be a sin on his part not to have his say. Sir, the learned mover of this resolution deserves our congratulations for the oratorical and beautiful speech that he has made on the floor of this House, and he is also to be congratulated for his democratic instincts when he says that it is his desire to bring down the Minister from the blue skies from among the company of the sons of the bureaucracy to the depths of the nether world. But there is one side of the question which I am afraid he has not fully developed. He has waxed eloquent on the pernicious effects of dyarchy. We all agree with him, and we join in his chorus that dyarchy is a bad, an unsatisfactory and a mischievous system. It is a system which acts as a clog-wheel in the machinery of the administration. But all this is not directly concerned with the question whether the appointment should be made by means of the *ad hoc* committees that seem to exist at present or by means of a permanent committee annually selected by this Council. The honourable mover of this resolution says that the Minister is like the fractious horse that is being pulled both ways by two ropes. No doubt this is the fact, but if we were to appoint a committee in order to control appointments in all the transferred departments and add five elected members of this Council to that committee, four of these will at least pull him by the four legs and the fifth will pull him by the tail. I am sure that this scheme is not feasible. I have given my best thought to this subject. The resolution at first struck me as proceeding on progressive lines, but when I looked into it minutely, I found that it was rather reactionary. The fact of the matter is that a committee of this kind can never succeed in securing the best persons for the post. The honourable mover of this resolution as well as the preceding learned speaker, both of them, have said that it is a matter of very great importance that those who are appointed under the Ministers should be so sympathetic and so liberal-minded as to be in a position to carry out the wishes of this Council as also to carry out the details of the administration in the spirit of the Reforms. I understand that to mean that the committee should control the appointment of the Secretaries. If that be so, then I submit that there is no *ad hoc* committee for this purpose, and these appointments are not in the hands of the Ministers. At least the Minister may be consulted about them, but he has no control over the Imperial services. That is one thing which we should not forget. Mr. Sampurnanand says that there are no committees in England and other countries of Europe for the simple reason that the Ministers there are the representatives of the people, of the non-official members of Parliaments, and they have got a majority at their back; but here in these Councils the Ministers have no following. They are selected by the head of the province and not by the Council, and for this reason a committee of this kind is needed in order to control the appointments. But I submit, Sir, that this argument cuts both ways. It is in favour of the resolution in question and it is also against the proposal that has been set forth in this resolution. When it is admitted that the Ministers of these Councils have no following,

it is all the more necessary that the committee for controlling the appointments should not be selected by the Council, as otherwise the position of the Ministers will be rendered impossible, and God knows what may be the nature and composition of the Selection Committee. It is possible that the committee may be hostile to the Minister and may make his work impossible. Under these conditions it will be impossible for any Minister to do any substantial work. At present I find Rai Rajeshwar Bali, Kunwar Rajendra Singh and Nawab Muhammad Yusuf happen to be the Ministers, but it is possible that tomorrow they may be recruited from the nationalist or Swaraj parties. Who knows? And we must not look to the present state of things. That is a matter of principle and we should look upon it and treat it as a principle and not as a temporary makeshift. It is for this reason that I think that the appointment of committees of this kind is rather dangerous. The honourable leader of the Swaraj party says that because there is no Public Services Commission, it is all the more necessary that a committee of this kind should be appointed. I submit that a committee of this kind can never be substituted for a Public Services Commission. This is just the same as if one has not got a palace to live in, he prefers to live in a tottering house, the roof of which may fall on his head at any time. There is a Persian proverb to this effect:—"If you cannot get wheat, you must eat chaff." We are not going to follow this proverb. I think that any person who has got any idea about the way in which the appointments are made will agree that in spite of the fact that occasional mistakes are committed, the matter has not become so scandalous as to require any such severe steps as are being suggested in this resolution.

Khan Bahadur Chaudhri Wajid Husain: I have all the time been patiently listening and searching in vain for arguments in support of this resolution as one would search for a needle in a bundle of hay. The speech of the last speaker but one—I mean the respected leader of the Swaraj party, has however furnished some arguments. I will not say convincing arguments, but certainly arguments that deserve very serious consideration. He has enunciated, so far as I can see, four propositions. One of them is that the wishes of the Legislature should be blended with those of the Executive in the matter of making appointments. Well, it is for Government to say whether that proposition is or is not one to be accepted. The other proposition which has been enunciated is that the ordinary rules of fair dealing should be applied in making appointments; this is a proposition with which I am in full sympathy. The third proposition which he has enunciated is that the poison of politics should be eliminated from selection committees. The fourth principle which he has enunciated is that the official mind or the departmental mind should not be the determining factor in making appointments. I have said that I am not in a position to say anything with regard to the first proposition, but with all the other three propositions I am in full sympathy. The only difference is that the honourable member's definition of the official mind or the departmental mind is different from mine. My meaning of an official mind is a mind in which the quality of zeal

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or enthusiasm for the work of the department excludes sympathy or toleration for anything which does not fit in with the official or the departmental ideal. If the honourable mover of the resolution was asked to give a definition of an official mind, he would probably say that an official mind is the devil's workshop. He would probably say that the working of the official mind takes away from the individual the powers of right thinking, reasoning, sympathy, patriotism, fairness and justice. That is probably the meaning which Mr. Dube would give to the term departmental mind. But a departmental mind or official mind, as I take it, is certainly one which should not be allowed to predominate in selection committees. I am in entire sympathy with the principles which have been enunciated by Pandit Govind Ballabh Pant, but I am afraid I cannot possibly agree with the methods which he has suggested, and I will show that the methods which he has enunciated will not achieve the objects which he has in view. But before I show that Mr. Govind Ballabh Pant wants to achieve the right thing in the wrong way, I have to deal with the arguments of the honourable mover of this resolution. I say arguments, but what do I find, I cannot find any argument, I find a few facts, or a few mis-statements of facts, plus an appeal to sentiment, plus certain compliments paid first to the Ministers, then to the bureaucracy generally, and lastly to the zamindars and taluqdars. I do not propose to defend the Minister or the bureaucracy generally, not even the taluqdars. But the mover has made certain statements which I am afraid cannot be allowed to remain unchallenged. He has said that officials are in the majority and that they make the appointments. So far as the committees in my department are concerned this sweeping statement is not in accordance with actual facts. The statement that officials are always in the majority and they make the appointment is entirely wrong. I cannot remember the personnel of all the committees. I do not carry a list in my pocket, but I can refer to those which were recently appointed. Take the committee which was appointed for selecting a candidate for the post of Assistant Stores Purchase Officer. The Government appointed five members; three of these were non-official gentlemen, members of this House. Only two were officials.

Pandit Govind Ballabh Pant : May I know whether that committee has sat and when they were appointed ?

Khan Bahadur Chaudhri Wajid Husain : I can assure the honourable member that they were appointed long before any notice of this resolution was received. They held their first meeting last week, I believe. Not only that, but I can say that Government pay respect to the opinion of non-official members. I remember one case in which the Government appointed three officials and two non-officials, and the two non-officials who were members of this Council recommended a candidate who was not recommended by the majority. The Government accepted the recommendation of the non-official minority and appointed the candidate recommended by them.

Then the honourable member said that the men who are selected in various appointments and departments are men of docile nature and not of an independent character. I really cannot understand how

members of this Council are going to find out whether the man they are going to appoint is a man of independent character or not. Nobody wears his heart on his sleeve. It has been said that the moment people get into power they change, and it was alleged that Ministers as soon as they got into the mysterious atmosphere of officialdom they change their views and they change their feelings. Well, after all, if non-official members are appointed as members of a permanent committee to consider applications for an appointment, where is the guarantee that that atmosphere of officialdom will not have its magical effect on the non-official gentlemen. The only other thing that Mr. Dube said was that if the proposed non-official committee was appointed, men of independent character, men who are great patriots would be appointed and unemployment would cease. What he said reminded me of Jack Cade, the Kentish peasant, who said to the populace of London :—" Look here, if you appoint me a king, then I will see that 7½ d. loaves are sold for one penny and that three-hooped pots have ten hoops and that it is accounted a felony to drink small beer." Everything will be so nice and so good ; beyond this I cannot find a single argument in the speech of the honourable mover. Then there is the speech of Pandit Bbagwat Narayan Bhargava. It had all the vitality of error and all the tediousness of an old friend. He said that two members out of seven will be representatives of the Government and they will have a voice in the decision of the committee. I do not see what voice these co-opted members can have, when they will not have the power of vote. If Mr. Dube appears before a court and the judge decides the case against his client, it cannot be said that because he pleaded in the case, he had had a voice in the decision of the case. If you appoint a committee two members of which will have no power of vote, you cannot say that these people will have any real voice in the decision as regards appointments. Well, Sir, the whole point against the proposal of the honourable member is this, and I will finish it in a few minutes, Sir . . .

The Hon'ble the President : You need not be nervous about time. Time is ample, for in this connexion I may inform the Council that the motion for adjournment has been disallowed by His Excellency the Governor under rule 22 (2) on the ground that it cannot be moved without detriment to the public interest.

Khan Bahadur Chaudhri Wajid Husain : The whole point is this. While you may have on the proposed committee men of proved eminence in their own profession, you may have nobody with sufficient acquaintance with the complicated machinery of that particular branch of the department in which an appointment has to be made and therefore the committee will not be able to know the exact requirements of the post which has to be filled. That is really the chief objection to the proposal that has been put forward by the honourable mover. I do not mean to suggest that you should not have any non-official element on the committee, but the determining voice should neither be that of the department nor of people who know nothing about the work of the post which is going to be filled. The determining voice must be of people who are in a position by their training and by their experience to know what type of a candidate would be most suitable for filling a particular post. If you give a non-official majority,

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you cannot ensure that the majority on the committee will consist of people who actually know the business entrusted to them. It does not mean that I have not the greatest respect for the abilities of the members of the Council. But I am sure that the honourable members do not claim with the don of Oxford that what they do not know is not knowledge. Members will agree that there is a great deal outside the work of the Legislative Council. I will give an illustration. In my department during the last five years none of the appointments which were filled, on the recommendation of committees, was one to which a man without technical qualifications could be appointed. They were all required for some kind of technical work, such as that of a chemist, weaver, dyer, wood-worker, engineer, tailor, shoe-maker, etc.

Now, except that we have a chemist of eminence and an engineer in the Council, none of these professions are represented in this Council. e.g., I cannot see a single tailor in this Council. Does the honourable member mean to suggest that you can make the appointment of a tailor without getting a tailor to find out as to who is the best candidate available? Lately I advertised the post of a tailor. There was nobody in my department who could go through the applications to see who was the best candidate among the applicants, and I had to get a representative of a Bombay firm to select a candidate for us.

Then there is another point. If you have a committee appointed by a political body, it is quite possible that appointments may be made on political considerations. That would be disastrous so far as the efficiency of the department was concerned. I must acknowledge gratefully that for the last five years that I have been in charge of this department I have not had a single suggestion made to me by a Hindu, a Muhammadan or a Christian that a particular appointment should be made on communal grounds. But the whole atmosphere in these days is surcharged with electricity and sparks of communal fire and fury are flying in the air, and one does not know what may happen in the future. I repeat that no suggestion was made by responsible men to me that appointments should be made on communal grounds. But suggestions which are equally unreasonable have been made to me. For instance, it has been suggested to me that in making appointments preference should be given to men of this province. Well, if the qualifications of two candidates are equal and one of them is a United Provinces man and the other a non-United Provinces man, there will be justification for giving preference to the United Provinces man, but you cannot possibly make appointments in technical departments on the basis of race or creed or territorial qualifications, and there is a great danger in entrusting the work of appointments to people who cannot possibly ignore political considerations. My point is that if a departmental mind is a danger to be avoided, the political mind is also a danger to be avoided.

Lala Nemi Saran : I move that the question be now put.

Question, that the question be now put, put and agreed to.

Mr. A. P. Dube : There is a well-known statement hurled against us that when they have no case the best thing for them to do is to abuse the adversary. This is the course adopted by the Government. The Hon'ble Minister and the Director of Industries, who have spoken,

have subjected me to very cheap criticism. The Hon'ble Minister has said that I was carried away by my eloquence; that I had missed the object of my resolution; that I had contradicted myself; and that I had attacked the zamindars, and so on. On the other hand, the Director of Industries has said that he was searching for a needle in a sack of *bhusa*. He unfortunately missed important arguments advanced by me in support of my resolution. What has struck him most is that the wishes of the Legislature should be brought in relation to the Executive. I submit, is there any member of the House who does not think that this is the most elementary principle of constitutional law? Therefore I may tell the House that the value of the argument which has proceeded from the Director of Industries is practically negligible.

With regard to the statements that have proceeded from the Hon'ble Minister, he has said that there will be great difficulty in elections for these committees. Now there is a certain amount of truth in what was alleged on this side of the House and which was questioned by the Director of Industries, viz., that when a person gets into office he forgets his former bearings as an elected member of this Council. There is the Minister for Education, there is the Minister for Agriculture, and there is the Minister for Local Self-Government. They were all elected as members of this Council, and I presume that when they were members of this Council just before they were selected for their offices, they were like most of us. They had no special training in any of these subjects I take it, and yet when they have assumed the office of Minister they have become the greatest experts. They lay down rules for the selection of committees, and they are able to tell the members of the Council that if members of the Council were elected on these committees there will be a disaster. I submit that when they can manage their departments after having been put into their offices, cannot a few members, at any rate, be selected from among the members of this Council to make recommendations to these Hon'ble Ministers for the selection of suitable candidates for certain posts?

Sir, it has been used as an argument against me what I myself was saying in regard to the selection of the Principal of the Technological Institute, they say they had appointed Sir Tej Bahadur Sapru and Mr. Justice Sulaiman; it was said triumphantly by the Hon'ble Minister hoping that the mouths of the critics would be entirely shut by the mention of these two high names. I desire to know what training Sir Tej Bahadur Sapru or Mr. Justice Sulaiman had in technological matters, in the matters of applied chemistry? I am not going to be deterred by the mention of high names in this House. Sir Tej Bahadur Sapru and Dr. Sulaiman are both my friends, and I have got the highest respect for them. But is it the proper exercise of parliamentary privilege that the Hon'ble Minister should go entirely out of this House and select, as I have said, rank outsiders to discharge this function? Cannot any member of the Council come up to that, or is it that the members of Council cannot attract gentlemen? They want men with high palatial residences and a certain amount of money and so would not care to have members for their committees from the ranks of men who are the real representatives of the people and who come directly out of the heart of the people.

[Mr. A. P. Dube.]

I say with all the fervour at my command that the days are gone when people were inclined to believe these statements. We cannot accept the attributing of all virtues to the rulers and to the members of the bureaucracy. The bureaucracy is a sort of a mutual admiration society. One member shouts at one end of the world and the other responds and there is a cry: "O yes, the heaven-born service is very efficient." Mr. Lloyd George the other day called it the steel frame; Lord Birkenhead showered all his panegyrics upon it, but the world has now discovered that this autocracy without an autocrat is a mighty colossus with feet of clay. Now the civilization of England and India is coming on a par. It is becoming the accepted doctrine that the work which the members of the Indian Civil Service do can be done by Indians who aspire to do the same work, and if there was any difference at any time, it has completely disappeared; we are not prepared to accept any superiority in them.

The Hon'ble the President: It is all very interesting, but I must remind the honourable member of the time limit.

Mr. A. P. Dube: On the contrary, the truth is that the Indian Civil Servant is not intelligent enough, not catholic enough, to understand the Indian needs and Indian civilization, nor is he politically educated enough to understand the modern popular currents of thought and action. The present Government has shown its want of democratic tendency by appointing four members of the landed aristocracy to the highest offices. It is captivated by the palatial residences and equipages and autopages of the rich and well-to-do, the transcendental tailoring and high living of the taluqdar and does not like the rags and the beggarly living of the poorer classes.

My appeal to the Council is that if they will not pass this resolution they would lay themselves open to the charge, individually and collectively, that they think themselves incapable of filling up these paltry offices. We are all bound by the most solemn pledges to advance the cause of good Government, which means Government of the people for the people by the people. We are not here to advocate the cause of Government of the people for the people by the bureaucracy. Sir Henry Campbell Bannerman said:—"Good Government is no substitute for the Government by the people." We have a right to commit mistakes and to learn by them. We want opportunities for the exercise of this divine, inalienable and sublime right of the Indian people.

This resolution is a very small step in this direction. Let us unite and pass this resolution unanimously.

The Hon'ble Rai Rajeshwar Bali: I have not much to add to what I have already said, but I wish to offer a personal explanation regarding my reference to the leader of the Swaraj party. When I referred to his name it was not with the intention of suggesting, as it appears, he meant that he was also liable to be put to pressure or anything of the kind. I only referred to his name when it was suggested that members of one party are appointed. I wanted the House to know that at times members of other parties are also appointed.

Pandit Govind Ballabh Pant : Sir, it is 4 o'clock now.

The Hon'ble the President asked the Hon'ble the Minister of Education to continue.

The Hon'ble Rai Rajeshwar Bali : There was no other idea in my mind when I suggested his name. Secondly, I wish to point out that we had decided to appoint him to that committee long before this resolution was tabled. Sir, I need not repeat the arguments to which I have given expression before. I think it is unfair to suggest to us that we are divesting ourselves of responsibility. If we are found to have committed mistakes we ought to be called to account, but we cannot leave to the uncertainties of election the appointment of members to these committees. I may also mention to the honourable members of this House that rules regarding the method of recruitment to our services are under consideration, and I am sure that when those rules are announced the honourable members of this House will be quite satisfied. I therefore oppose the resolution.

The resolution was put and negatived.

The Hon'ble the President : What did the honourable member for Naini Tal wish to say ?

Pandit Govind Ballabh Pant : I said it was past four and was time for the motion for adjournment.

The Hon'ble the President : I announced a short time ago that the motion for adjournment had been disallowed by His Excellency the Governor under rule 22(2) which reads:—"The Governor may disallow, on the ground that it cannot be moved without detriment to the public interest, or on the ground that it relates to a matter which is not primarily the concern of the Local Government, any such motion for adjournment, notwithstanding the consent of the President, and, if he does so, the adjournment shall not be permitted by the President, and no further discussion of the motion shall take place."

RESOLUTION *re* MUKHTARS AND REVENUE AGENTS OF AGRA PRACTISING IN OUDH.

Rai Bahadur Chaudhri Jagannath Prasad : I beg to move—

"That this Council recommends to the Government to request the Hon'ble the Chief Court of Oudh that the mukhtars and revenue agents practising in the Agra Province may also be permitted to practise in the districts of Oudh."

In moving this resolution I am confident that it will not be opposed by any member of this House. I think all the honourable members of this House know that there are mukhtars in the Agra Province. While they are practising in all the courts there according to their qualifications, they are not allowed to practise in Oudh. To my mind it is a real grievance which should be removed. All the laws of Agra Province and Oudh are the same except the Oudh Rent Act. The recent amendment of the Agra Tenancy Act has very closely followed the Oudh Rent Act. I need not read the provisions of those two Acts. According to the recent amendment of the Criminal Procedure Code, the word "pleader" includes mukhtar. Everybody knows that the Criminal Procedure Code applies to Oudh also. It is not confined to Agra Province alone.

[Rai Bahadur Chaudhri Jagannath Prasad.]

Therefore, according to the legal definition of the term "pleader" includes "mukhtar" as well. There are some persons who think that if mukhtars come to Oudh they will accept lower fees than the pleaders of this place. I think it is no argument to deprive them of their legal right. I think if the mukhtars and revenue agents are allowed to practise in Oudh it will be useful to the poor as well as to the rich. The tenants will find lawyers to help them and rich persons will have to pay less than they do at present.

I think the zamindars should support me because it is to their advantage in rent and revenue cases because they will get revenue agents instead of having to engage big vakils. I think my fellow-brothers of the profession should not be afraid of their coming to Oudh, because if they are competent persons they need not fear mukhtars and revenue agents. If they are not competent, even then they should not grudge this because every year there are hundreds of vakils who are coming and they cannot stop them. It will be no argument to say that certainly we will allow the vakils to come because we cannot stop them, but it lies in our power to stop the mukhtars and revenue agents from coming. I think I need not argue on this point much, and I hope the House will support my resolution without any opposition.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : This is not a new question on the floor of this House. As far as I remember it was brought before the House in 1901 when it was decided that the mukhtars of Agra Province should not be allowed to practise here. It came before the House again in 1919, and the last time it came up was in 1926, when the Chief Court gave their opinion that there is no hardship for the litigant public in not having mukhtars; that the legal profession was crowded; and that people could get legal advice on moderate fees without these mukhtars being brought into the Oudh courts. I regret to have to oppose a resolution which has been so ably moved, but the position is that in a matter like this we are always guided by the opinion of the Chief Court, who have a sort of expert opinion in these matters. Besides, it is my personal experience that there is no dearth of competent lawyers. On the other hand, there are so many lawyers in Oudh that the question is not whether they should have more legal advisers—in fact, the question is to find some ways for the present lawyers to earn a living, and in these circumstances I do not think any useful purpose will be served if we allow the mukhtars of the Agra Province to practise here. It will unnecessarily lower the legal standard in this province. That is one thing which is neither in the interest of lawyers here, nor in the interest of litigants, nor of the administration of justice—to lower the legal standard in any way. There is another point also which I should like to submit, which is this, that even in the sister province they have decided now that after this year there will be no examination of mukhtarship. That shows very clearly the way in which the wind is blowing, and the measure of my friend, if adopted by the House, will be a backward step. And if the resolution of my honourable friend is adopted, it will be a backward step. The Agra Province is also trying to stop the Mukhtarship examination. Oudh has never recognized it, and now to ask Oudh to recognize it, while they in Agra are stopping it, would mean to go backwards. For these reasons I hope my honourable friend will withdraw the resolution.

The Hon'ble Sir Sam O'Donnell: I have to say a few words with regard to revenue agents.

Mr. C. Y. Chintamani: Will both of them have the right of last word or either of them?

The Hon'ble the President: That is a domestic matter. Let them settle it between themselves as to which of the two is the member of Government concerned to reply.

The Hon'ble Sir Sam O'Donnell: So far as the revenue agents are concerned the position is broadly much the same. There has been no recruitment in Oudh of revenue agents since 1885. The question whether recruitment should be re-opened was considered on several occasions, and on each occasion the decision was in the negative. I think the decision was a sound one. Obviously if revenue agents are to be recruited, the proper course would be to re-open recruiting for Oudh. There is no good reason for allowing the revenue agents of Agra to practise in Oudh where the rent law is different. As a matter of fact, however, we have ceased to recruit any revenue agents in Agra also since April, 1886. The reason for that was that there are plenty of better qualified legal practitioners available. As every one knows, the Bar is overcrowded; there are more vakils; in fact, there are so many vakils that many of them are unable to earn a decent living and the scale of fees, in consequence of the competition, is extremely low. So that it cannot be said that if there are no revenue agents the poorer class of litigants will be unable to get legal advice. I think those members of Council who are lawyers will agree that the standard of attainments among revenue agents is decidedly low, and that it is in the interests of the litigants themselves that only better qualified practitioners should be allowed to appear. As my friend the Home Member said, the proposal is really of a retrograde character. If I remember aright, the Committee on the Bar—I forget the exact name—held the opinion that mukhtars are not a good class of practitioners and that the sooner they are abolished the better. The revenue agents are no better, and I think the litigants can very well dispense with their services.

Khan Bahadur Hafiz Hidayat Husain: I rise to support the resolution moved by my friend from Unao. It seems to me that there should have been no objection on the part of Government to allowing the Agra mukhtars to practise in the courts of Oudh. In Agra Province there are four kinds of legal practitioners, advocates, vakils of the High Court, pleaders and, lastly, mukhtars. I think, Sir, even the honourable members of the Board of Revenue will bear me out when I say that some of the mukhtars place and argue their cases before the courts even better than pleaders.

The mukhtarship examination in the Agra Province is going to be abolished this year, and so we are in a position to know finally the number of mukhtars practising in the Agra Province. The profession of law is a very unique one. Here, one serious mistake and you are nowhere, unlike the judge, whose mistakes are rectified by the appellate court or white-washed by the Executive. A lawyer has to prepare every case himself, and if he falters even in one case, his whole reputation goes. Therefore, if the Agra mukhtars are allowed to practise in Oudh, it would be no case of dumping in any way. On the other hand, if the mukhtar so allowed has got some legal stamina in

[Khan Bahadur Hafiz Hidayat Husain.]

him and can put grit in his work, he will then alone be in requisition and should not be denied that chance. The only serious objection is this, that we will, with this permission, be importing cheap education from one province to another; but as I have already said, this question hardly arises. A mukhtar is a qualified lawyer, and as such he is entitled to practise in any court under the Legal Practitioners Act. For these reasons I support the resolution.

Rai Bahadur Lala Mathura Prasad Mehrotra: I move for the closure.

The Hon'ble the President: I do not think that the matter has been sufficiently debated as yet.

Rai Bahadur Babu Mohan Lal: I am sorry I have to oppose my friend, Rai Bahadur Chaudhri Jagannath Prasad on this resolution. There was a time—perhaps in the eighties—when I think revenue agents were allowed to practise in Oudh, but since then that examination has been abolished, and we have no revenue agents now in consequence. If a representation was to be made on the subject, it should have been made then, when the Oudh Bar was not so overcrowded as it is at present. Now, every year the University turns out hundreds of LL.B's., with the result that we are faced with the problem of unemployment. At this time, therefore, there is no justification why the revenue agents of Agra Province should be allowed to practise in the Oudh courts. As regards the mukhtars, I may point out that they have never been allowed to practise in Oudh. The mukhtars have been in existence ever since the Legal Practitioners Act of 1879 was passed, and when they have not been allowed to practise in Oudh during these 50 years, why should they be allowed to practise now, when the Bar is so overcrowded? It is our duty to see that the high tone of the legal profession is maintained. Now that we get highly qualified men on moderate fees, it would be a mistake to allow the mukhtars to come from the Agra Province to practise here, as that would tend to lower the tone of the legal profession. Being a lawyer myself it might be said that the reason for my opposing the resolution is that if the lawyers are allowed to come here, I would be personally affected. I may tell the House that I am a civil court lawyer, and so my position will not in any way be affected even if hundreds of mukhtars are introduced in Oudh. Their introduction into Oudh at this stage would, in my opinion, impair the high tone of the profession, and so I am not in agreement with the resolution. Because the tone of the profession is likely to deteriorate. It is therefore necessary for us to see that that tone is maintained, and we should not allow these mukhtars to be imported into Oudh.

Khan Bahadur Mr. Masud-ul-Hasan: The resolution that has been moved by my friend with regard to mukhtars is really very interesting. I wish I could help him in the matter. I would like that the whole lot of mukhtars of the Agra Province should migrate to Oudh. We have enough of their experience, of their legal knowledge and of the cheap advice which they give to the poor people. Within my experience of not less than 18 years I have come across most unfortunate cases in which on account of their advice there had been loss of lives and property. We in the Agra Province have enjoyed the blessing of this branch of the honourable profession for a considerable time. Let the Oudh Bar also be

improved by their inclusion. I, however, think that the time has come not only to discontinue the examination of mukhtars and revenue agents, but somehow or other to do something with a view to limit the activities even of the present practitioners. The Bar is now sufficiently crowded, as has been pointed out by the Hon'ble the Finance Member, and every year we are getting a large number of young men joining the profession of law. It is in the interest of the Bar as well as of our own people that the people should get the best possible advice. The education of mukhtars is generally not very high. They read a few law books privately to pass the examination. They get no training as far as the law is concerned. I am alive to the fact that a few of them are quite competent, but they are only honourable exceptions. Therefore my submission is that if the Oudh people have not got these mukhtars as their legal advisers, they should not be compelled to have them; and if they must have them, then let all of them go away from the Agra Province.

Pandit Nanak Chand : I move for the closure.

Question, that the question be now put, put and agreed to.

Rai Bahadur Chaudhri Jagannath Prasad : The Hon'ble the Home Member has put forward certain objections to the resolution. One of them is that the Oudh Bar is overcrowded. I beg to draw his attention to the real facts of the case. It is wrong to say that the number of legal practitioners in every district of Oudh is larger than the number of lawyers in every district of the Agra Province. The case is just the reverse. There are more lawyers in the Agra Province than there are in any of the districts of Oudh. There is no district of Oudh which has got so many lawyers. Therefore it is against the facts and should carry no weight with the House. The second point raised by him was that the Chief Court has framed rules disallowing mukhtars and revenue agents to practise in Oudh. I think this is a mistake of the Chief Court of Oudh which I seek to remedy by this resolution. I say the Chief Court was not right in refusing admission and the enrolment of mukhtars and revenue agents in Oudh. This Council should see that the Chief Judge treats the mukhtars with the same kindness as any other lawyer of the province. The third point raised by the Hon'ble the Home Member and which has been repeated by the Hon'ble the Finance Member and also by my learned friend who belongs to this profession, is that it lowers the standard. In answer to his argument I will read certain opinions of eminent gentlemen :—

Mr. Justice Abdul Raoof (Lahore High Court) : "I have come across many competent mukhtars practising in courts of criminal jurisdiction, who do their work ably and efficiently. There are many who can hold their own when pitted against pleaders, High Court vakils and even barristers."

The Hon'ble Sir William Vincent (Home Member, Government of India) : "I entirely agree with the Hon'ble Member when he stated that many of these mukhtars are men of real ability and very great experience of criminal law." (On another occasion, he said) : "I have known many excellent mukhtars, men who can defend cases or prosecute cases quite as well and better than many junior pleaders,

[Rai Bahadur Chaudhri Jagannath Prasad.]

and even than some senior pleaders. . . . They are in truth and well have been called 'The poor man's lawyer'. When a man is up before a magistrate's court on a minor charge he wants and seeks legal assistance, and often cannot afford to retain services of a pleader."

Mr. T. A. H. Way, M. L. A. (United Provinces): "Mukhtars have been rightly described as the poor man's lawyer . . . In mufassil courts mukhtars are the only form of legal advice and assistance which a poor man can get at a reasonable cost."

I think these opinions and the opinion of every right-thinking person should convince this House that mukhtars are also as able as any lawyer in the province. Of course much depends on the ability of the person and not upon the class of the lawyers. There are mukhtars who are abler than pleaders. There are mukhtars who are worse, but it cannot be rightly said that every barrister is superior to a vakil and that every vakil is superior to a pleader and that every pleader is superior to a mukhtar. I think it is not right to assert that. It may be the sad experience of my friend to have the bad type of mukhtar in his own district, or he may have the misfortune to work with him. But I know of certain mukhtars whom I can praise very well. I know Munshi Mata Prasad at Banda who used to earn Rs. 3,000 a month. There are mukhtars at Cawnpore who are better than many pleaders in the province. Therefore it is not right to say, and it is not right to accept that every mukhtar is a bad mukhtar and much lower than the pleader or a vakil or a barrister. It has been proposed that there is to be no more examination for mukhtars and revenue agents and therefore their coming to Oudh will not be a perpetual thing. The argument that because for so long they have not been allowed to practice in Oudh, they should not be allowed to practice now, has got no justification. Why should the Agra Province have mukhtars and not Oudh? If you say it is to the disadvantage of the Agra Province that mukhtars are there, why that loss should be suffered by the pleaders in that province alone, and why persons living in Oudh should not justly bear it. If it is to the advantage of the persons living in Agra Province that mukhtars should be there, then people of Oudh should have the same advantage. In both cases I think it is right and just to allow the mukhtars to practise in Oudh. This Council is not composed of men of Oudh alone. There are representatives of the Agra Province and they know better whether the services of the mukhtars are of any importance or not. I say that nobody should be selfish in this House, and I appeal to the justice of the House that if according to the law a man is competent to practise before a judge, he should be allowed to practise in the Agra Province as well as in Oudh.

Let us see what the practice is. The Board of Revenue sitting at Allahabad can try a case of Oudh and a revenue agent practising in the Agra Province can appear in an Oudh case while the Board is sitting at Allahabad or Cawnpore, but if he comes to this side of the Ganges the revenue agent is no longer allowed to conduct the case. Is there any justification for this? Though the same revenue agent is competent to conduct a case anywhere on the other side of the Ganges, he is not allowed to do so the moment he comes this side of the stream. I hope this resolution will receive the support of the majority of the members of the Council.

RESOLUTION *re* MUKHTARS AND REVENUE AGENTS OF AGRA 601
PRACTISING IN OUDH.

The question was put and the Council divided as below :—

Ayes, 29; Noes, 29.

Ayes.

Babu Lakshmi Narayan Gargh.
Pandit Rahas Bihari Tiwari.
Babu Bhagwati Sahai Bedar.
Rai Bahadur Lala Jagdish Prasad.
Pandit Nanak Chand.
Thakur Hukum Singh.
Raja Kushal Pal Singh.
Babu Kishore Prasad.
Pandit Mulchand Dube.
Babu Shyam Lal.
Pandit Venkatesh Narayan Tivary.
Babu Kavendra Narayan Singh.
Pandit Shri Sadayatan Pande.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Bhaya Hanumat Prasad Singh.

Rai Bahadur Chaudhri Jagannath Prasad.
Mr. C. Y. Chintamani.
Haji Abdul Qayum.
Saiyid Tufail Ahmad.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Nawabzada Muhammad Liaqat Ali Khan.
Khan Bahadur Hafiz Hidayat Husain.
Maulvi Saiyid Habib-ullah.
Khan Bahadur Saiyid Jafar Husain.
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Rai Bahadur Lala Bihari Lal.
Kunwar Bisheshwar Dayal Seth.
Pandit Iqbal Narayan Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliot.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Husain.

Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Col. R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Rai Bahadur Babu Mohan Lal.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Babu Mahendra Deva Varma alias Lalji.
Mr. St. George H. S. Jackson.
Rai Bahadur Lala Mathura Prasad Mehrotra.
Mr. J. P. Srivastava.

The Hon'ble the President : The result of the division is Ayes 29, Noes 29.

I have just asked the Hon'ble the Home Member whether there was any debate on this point and whether the House has previously given its decision on it before. He tells me that the question did not arise in the form of a resolution, but it has arisen in the form of question only. This resolution is only a recommendation to the Government and the Government will consider whether it should be sent to the Hon'ble Chief Court or not. The Chief Court will then consider it. I think "as a special case" without laying down any precedent or principle on the point I vote for ayes.

The resolution was accordingly adopted.

The Hon'ble the President : It is less than 25 minutes to five and it is rather unusual for a new business to commence at this late hour. It would be inconvenient for the House. But the next item on the agenda is the motion for reference of a Bill to a Select Committee in the name of Rai Bahadur Lala Mathura Prasad Mehrotra. As far as the Chair is concerned, the Chair would like to give facilities to honourable non-official members to promote non-official legislation as far as possible, and from that point alone I should like to commence this business today in the hope that it will be finished early tomorrow morning. But I do it on the distinct understanding that Mr. Mehrotra will only make his motion formally and reserve his brief speech for tomorrow.

**THE UNITED PROVINCES TOWN AREAS (AMENDMENT)
BILL.**

Rai Bahadur Lala Mathura Prasad Mehrotra: I beg to move that the Bill to amend the United Provinces Town Areas Act, 1914, be referred to a select committee composed as follows :—

- (1) Pandit Nanak Chand.
- (2) Pandit Brijnandan Prasad Misra.
- (3) Pandit Bhagwat Narayan Bhargava.
- (4) Lala Nemi Saran.
- (5) Rai Bahadur Babu Mohan Lal.
- (6) Shaikh Habib-ullah.
- (7) Maulvi Muhammad Obaid-ur Rahman Khan.
- (8) The Legal Remembrancer to Government.
- (9) The Secretary to Government, Local Self-Government Department.

The Hon'ble the President then adjourned the Council to the following day.

APPENDIX A.

(See page 506 *supra*.)

STATEMENT.

The grazing dues in force in the area controlled by the Forest department are :—

	<i>Per buffalo.</i>			<i>Per cow.</i>			
	Rs.	a.	p.	Rs.	a.	p.	
1. <i>In the grass areas of Jhansi range, leased to the Military grass farms which are opened to grazing for half the year.</i>	0	2	0	0	1	0	
2. <i>In the Jhansi range—</i>							
Ordinary rate	0	12	0	0	6	0
Privileged rates	0	8	0	0	4	0

NOTE.—The villages which have been granted concessions only pay to the Forest department such proportion of these rates as the area of open reserved forest bears to the total area of the village grazing grounds, which works out to about two pies per cow.

3. *In the Lalitpur sub-division—*

			Rs.	a.	p.	Rs.	a.	p.
Concession rates in the Talbehat range	..	..	0	2	0	0	1	0
Privileged rates which apply to cattle sent from Talbehat to South Lalitpur.	..	..	0	8	0	0	4	0
Ordinary rates in South Lalitpur	..	..	0	12	0	0	6	0

In the area controlled by the collector there are no grazing dues as the land belongs to the villagers.

APPENDIX B.

(see page 506 supra.)

Statement referred to in the answer to starred question No. 67 asked by PANDIT BHAGWAT NARAYAN BHARGAVA on November 3, 1927.

SCHEDULE OF FUNCTIONS OF ARCHEOLOGICAL OFFICERS.

A.—Conservation—

1. Selecting monuments to be maintained by the Central Government; compiling lists of same; and assisting local Governments, when so required, in the selection of monuments for protection under the Ancient Monuments Preservation Act.
2. Correspondence with local Governments regarding the protection of monuments to be maintained by the Central Government.
3. Inspection of monuments maintained by the Central Government and drawing up of notes on their conservation.
4. Execution of conservation works departmentally, including the preparation of estimates and plans, calling for tenders, etc., etc.
5. Scrutiny and countersignature of estimates and plans for conservation works carried out by any agency other than the Archeological department; supervision of the same while in progress, and the signing of completion certificates.
6. Assisting local Governments in drawing up agreements with the owners of private monuments and supervision of repairs of same if maintained wholly or in part by the Central Government.
7. Advising local Governments if required as to the conservation or maintenance of monuments which form a provincial charge.
8. Photographing of monuments maintained by the Central Government before and after their conservation.
9. Erection of notice boards, etc., at monuments maintained by the Central Government.
10. Compilation of annual programmes of works and control of all expenditure connected therewith.

B.—Survey Work, Exploration and Research—

11. Survey of ancient sites and preparation of detailed drawings and photographs of monuments.
12. Excavation of ancient sites.
13. Archaeological research in all its various branches.

C.—Epigraphy—

14. Collection of inscriptions, preparation of estampages and photographs of same and their decipherment and publication.

15. Management of local museums such as those at Taxila, Sarnath and Nalanda which are maintained by the Central Government. The functions of the Archæological officers connected with these museums include the collection, arrangement, cataloguing and labelling of antiquities.

D.—Miscellaneous—

16. Assisting local Governments, when required, in examining treasure trove and advising as to its disposal.
17. Prevention of illicit traffic in antiquities.
18. Training of Government of India scholars.
19. Issuing passes and permits, where necessary, to visitors to monuments maintained by the Central Government in accordance with the rules published by the local Governments.
20. Assisting local Governments, when required, by acting as visitors to provincial museums and furnishing advice.

E.—Publications—

21. Contribution of papers to Departmental Annual Reports, and to the *Epigraphia-Indica* and *Indo-Moslemica*; writing of special Memoirs or volumes of the Imperial Series; preparation of guide-books, coin and other catalogues.
22. Contribution to the local Government's Administration Reports, if required.

APPENDIX C.

(See page 599 supra.)

Copy of resolution no. 9 passed by the United Provinces Medical Council at their meeting held on March 21, 1927.

The following papers were considered:—

- (1) G. O. No. 1055/V—202, dated September 23, 1926, sanctioning the institution of a State Medical Faculty in these provinces with effect from November 15, 1926.
- (2) Government Medical department resolution No. 1228/V—202, dated November 10, 1926, constituting the State Medical Faculty in these provinces instead of the State Board of Medical Examinations.
- (3) Resolutions passed by the Meerut Branch of the All-India Medical Licentiates' Association at its general meeting held on December 5, 1926.

The following resolution was proposed by Dr. Kunj Behari Lal and seconded by Dr. Jagmohan Lal Caroli:—

“That in view of the fact that the authorities concerned have failed to consult this Council on the constitution of the State Medical Faculty, this Council regrets that it is unable to accord recognition to its licentiates until such time as this Council has been given an opportunity to consider the constitution of this Faculty.”

Lieut.-Colonel Dunn proposed and Captain Raj Kishore Kacker seconded the following amendment:—

“That this Council requests that the constitution of the Faculty be sent to the Council for consideration and that any recommendations for its amendment made by the Council be seriously considered by Government, and, if accepted, the constitution of the Faculty be amended accordingly. This Council wish to point out to Government that it is within their right to refuse to register the Licentiates of the Faculty, if they are of opinion that the standard of teaching and examination does not meet with their approval.

The amendment was unanimously carried.

APPENDIX D.

(See page 533 supra.)

Statement showing the number of Muslim and non-Muslim clerks in Government service in each of the divisions of the Irrigation department in these provinces.

Name of division.	No. of clerks.		Total.
	Muslim.	Non-Muslim.	
(FOR OPEN CANALS.)			
<i>I Circle, Irrigation Works.</i>			
Northern division, Ganges canal	1	7	8
Meerut division, Ganges canal .. ..	..	8	8
Bulandshahr division, Ganges canal	1	7	8
Aligarh division, Ganges canal	2	6	8
Total ..	4	28	32
<i>II Circle, Irrigation Works.</i>			
Narora division, Lower Ganges canal	1	7	8
Mainpuri division, Lower Ganges canal .. ..	..	8	8
Etawah division, Lower Ganges canal .. ..	..	9	9
Cawnpore division, Lower Ganges canal .. ..	..	8	8
Fatehpur division, Lower Ganges canal .. ..	..	8	8
Mirzapur canals division	1	6	7
Total ..	2	46	48
<i>III Circle, Irrigation Works.</i>			
Upper division, Eastern Jumna canal	1	8	9
Lower division, Eastern Jumna canal	2	6	8
Upper division, Agra canal .. ..	..	7	7
Lower division, Agra canal .. ..	..	8	8
Mat Branch division, Ganges canal .. ..	..	8	8
Total ..	3	37	40
<i>IV Circle, Irrigation Works.</i>			
Jhansi division, Betwa canal	3	4	7
Betwa canal division .. ..	..	7	7
Dhasan canal division .. ..	..	8	8
Ken canal division .. ..	..	7	7
Total ..	3	26	29

APPENDIX D—(continued).

Name of Division	No. of clerks.		Total.
	Muslim.	Non-Muslim.	
(FOR SARDA CANALS)			
V Circle, Irrigation Works.			
Head-works division	4	13	17
II Sarda division	2	10	12
V Sarda division	1	8	9
Bohilkhand canals division	1	11	12
Total	8	42	50
VI Circle, Irrigation Works.			
IX Sarda division	2	12	14
X Sarda division	3	13	16
XI Sarda division	3	17	20
XII Sarda division	3	9	12
Total	11	51	62
VII Circle, Irrigation Works.			
III Sarda division	1	15	16
VI Sarda division	1	12	13
VII Sarda division	1	14	15
XIII Sarda division	4	12	16
Total	7	53	60

APPENDIX E.

(See page 535 *supra*.)

LIST OF EXEMPTIONS.

Civil and Revenue.

1. Commissioner, Kumaun division.
2. Deputy Commissioner, Naini Tal.
3. Joint Magistrate, Naini Tal.
4. Superintendent, Tarai and Bhabar Government estates.
5. Assistant Commissioner, Naini Tal.
6. Deputy Collector, Naini Tal.
7. Deputy Collector, Kashipur.
8. Tahsildar, Naini Tal.
9. Peshkar, Naini Tal.

Judicial.

10. Sessions Judge, Kumaun division.

Police.

11. Superintendent of Police, Kumaun division and subordinates on duty.
12. Assistant Superintendent of Police, Kumaun division.
13. Deputy ditto ditto.

Medical.

14. Inspector-General, Civil Hospitals, United Provinces.
15. Civil Surgeon, Naini Tal.
16. Assistant to Civil Surgeon.
17. Resident Medical Officer, Ramsay Hospital, Naini Tal.
18. Assistant Surgeon, Reserve Duty, Ramsay Hospital.
19. Civil Assistant Surgeon in charge of Crosthwaite Hospital.
20. Sub-Assistant Surgeon in charge of Police Hospital.

Public Works department.

21. Executive Engineer, Naini Tal division.
22. District Engineer, Naini Tal.
23. Sub-divisional Officer, Ayarpatta.

Ecclesiastical.

24. Chaplain of Naini Tal and Archdeacon of Lucknow.
25. Chaplain of the Scotch Church, Naini Tal.
26. Chaplain of St. Nicholas.
27. Roman Catholic Chaplain.

Forests.

28. Conservator of Forests, Kumaun division.
29. Deputy Conservator of Forests, Naini Tal division.
30. Special Forest Officer, Tarai and Bhabar.
31. Chief Conservator of Forests.
32. Divisional Forest Officer, Haldwani division.
33. Ditto Ramnagar division.

APPENDIX *Continued.***Educational.**

- 34. Inspector of Schools, Kumaon Division.
- 35. Deputy Inspector of Schools, Naini Tal.
- 36. Sub-Deputy Inspector of Schools, Naini Tal.
- 37. Inspectress of Girls' Schools, 5th circle, Bareilly.

Post office.

- 38. Postmaster-General.
- 39. Deputy Postmaster-General.
- 40. Personal Assistant to the Postmaster-General.
- 41. Superintendent of Post offices.
- 42. Inspector of Post offices.
- 43. Deputy Postmaster-General, Railway Mail Service, Northern circle.
- 44. Personal Assistant to the Deputy Postmaster-General, Railway Mail Service, Northern circle.
- 45. Superintendent, Railway Mail Service, "O" division, Lucknow.
- 46. Inspectors of Railway Mail Service.
- 47. Camp clerk to Deputy Postmaster-General, Railway Mail Service, Northern circle.

Excise.

- 48. Excise Inspector for Kumaun.

Gardens.

- 49. Superintendent, Kumaun Government Gardens.

Veterinary.

- 50. Veterinary Inspector.
- 51. Veterinary Assistant, Kathgodam.

Accounts.

- 52. Examiner, Local Fund Accounts.

Jail.

- 53. Jailor, Naini Tal and Naini Tal jail orderlies.

Others.

- 54. Inspectors of Coolie Agencies.

Telephones.

- 55. Telephone Inspector, Naini Tal.

Agriculture.

- 56. Agricultural Assistant at Douglas Dale farm at Jeolikote.

APPENDIX F.

(See page 536 *supra*.)

Statement showing the recurring and non-recurring grants sanctioned for European and Indian aided schools at Naini Tal during 1925-26 and 1926-27.

Name of school.			Recurring grant.	Non-recurring grant.
1925-26.			Rs.	Rs. a p.
European Schools.				
1.	St. Joseph's College, Naini Tal ..	..	18,922	1,986 0 0
2.	Diocesan Boys' School, Naini Tal ..	..	30,029	37,500 0 0
3.	Philander Smith College, Naini Tal ..	..	27,411	..
4.	All Saints' College, Naini Tal ..	..	24,725	8,773 0 0
5.	Wellesley Girls' High School, Naini Tal ..	..	19,744	..
6.	St. Mary's Convent School, Naini Tal ..	..	12,664	495 0 0
Indian School.				
	Humphrey High School, Naini Tal ..	..	8,988	2,720 9 0
1926-27.				
European Schools.				
1.	St. Joseph's College, Naini Tal ..	..	21,272	..
2.	Diocesan Boys' School, Naini Tal ..	..	28,674	2,250 0 0
3.	Philander Smith College, Naini Tal ..	..	30,069	..
4.	All Saints' College, Naini Tal ..	..	30,218	2,654 0 0
5.	Wellesley Girls' High School, Naini Tal ..	..	19,732	..
6.	St. Mary's Convent School, Naini Tal ..	..	13,386	8,840 0 0
Indian School.				
	Humphrey High School, Naini Tal ..	..	11,892	221 0 0

APPENDIX G.

(See page 543 supra.)

Statement showing the names of the twelve convicts dropped in 1926 and the offences for which they were dropped, referred to in the answer to starred question No. 263 for November 3, 1927.

Names.	Offences.
1. Kuar Sen ...	Attacking a circle officer with a sharp hoop iron.
2. Jumman Khan ...	Abusing the circle officer and might have assaulted him. He had 36 punishments before.
3. Kalka ...	Assaulting the circle officer when the latter had tried to shield a convict overracer whom the convict was assaulting.
4. Nepal ...	Abusing the jail superintendent.
5. Khairati ...	Assaulting a warder.
6. Puran ...	Attempting to cut the nose of an approver with a hoop iron.
7. Raghubar Dayal ...	Attempting to assault with his fists the jail superintendent on parade.
8. Bohari ...	Abusing the jail officials and threatening to commit murder and suicide.
9. Bhagga...	Assaulting the superintendent with a stone.
10. Sita Ram ...	Instigating a prisoner to assault the superintendent and supplying him with a stone.
11. Sukhdeo Singh ...	Assaulting the jailer.
12. Tassaduq ...	Biting another prisoner's nose and attempting to assault the jail superintendent.

APPENDIX H.

(See page 544 *supra*.)

*Statement referred to in the answer to starred question No. 267
for November 3, 1927.*

CLOTHING FOR INDIAN PRISONERS.

<i>For male convicts.</i>	<i>For female convicts.</i>
One <i>kurta</i> .	Two <i>chudars</i> .
One <i>janghia</i> .	Two <i>lehngas</i> .
One <i>lungot</i> .	Two <i>kurties</i> .
One cap.	Two towels.
One <i>tikoni</i> .	
One towel.	

WOOLLEN CLOTHING.

Summer	One blanket.
Winter (i.e. from October 1 to March 31).	Two blankets and one blanket coat.

In addition each prisoner shall receive one *moong* or aloe-bedding.

Scale of clothing for female European and Anglo-Indian convicts.

SUMMER.	WINTER.
Two <i>dusooti</i> skirts.	One woollen skirt.
Two <i>dusooti</i> blouses.	Two <i>dusooti</i> blouses.
Two sets of <i>garah</i> underclothing.	Two sets of <i>garah</i> underclothing.
Two pairs stockings (white).	Two pairs stockings (white).
Two towels.	Two towels.
One pair black boots with laces.	One pair black boots with laces.
One topee.	One topee.
One mattress (stuffed with straw).	One mattress (stuffed with straw).
One pillow (cotton).	One pillow (cotton).
Two pillow cases (<i>dusooti</i>).	Two pillow cases (<i>dusooti</i>).
One blanket.	Three blankets.
Two sheets (<i>dusooti</i>).	Two sheets (<i>dusooti</i>).
	One woollen cardigan jacket

APPENDIX H—(concluded).

Scale of clothing for male European and Anglo-Indian prisoners.

SUMMER.	WINTER.
Two <i>garah</i> shirts with cloth buttons.	Two <i>garah</i> shirts with cloth buttons.
Two <i>garah</i> drawers with cloth buttons.	Two <i>garah</i> drawers with cloth buttons.
Two <i>dusooti</i> coats with five cloth buttons.	One brown flannel coat with five buttons.
Two <i>dusooti</i> pants with five cloth buttons.	One brown flannel pant with buttons.
One mattress (stuffed with straw).	One mattress (stuffed with straw).
One pillow (cotton).	One pillow (cotton).
One pith helmet.	One pith helmet.
One blanket.	Three blankets
Two towels.	Two towels.
Two pairs white socks.	Two pairs white socks.
One pair black boots with laces.	One pair black boots with laces.
Two <i>dusooti</i> sheets.	Two <i>dusooti</i> sheets.
Two <i>dusooti</i> pillow cases.	Two <i>dusooti</i> pillow cases.
	One woollen jersey.

APPENDIX I.

(See page 547 *supra*.)

Statement referred to in the answer to starred question No. 286(b) for November 3, 1927.

Number.

Grade.

						Rs.
6						155
10	120
2	115
6	110
44	85
20	70
44	50
30	45
4	40

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APPENDIX J.

(See page 550 *supra*.)

Statement referred to in the answer to unstarred question No. 3 for November 3, 1927.

			Rs.	a.	p.
Opening balance on April 1, 1926	...		63	11	7
Income during 1926-27	...	...	2,286	1	0
Loan from the caution money	...	...	250	0	0
			<hr/>		
	Total		2,599	12	7
Expenditure during 1926-27	...	...	2,594	13	6
			<hr/>		
Closing balance	...	...	4	15	7
			<hr/>		
	Total	...	2,599	12	7
			<hr/>		

II.—*Expenditure under sub-head garden charges.*

				Rs.	a.	p.
Charges	...	...	...	557	11	9

APPENDIX K.

(See page 554 supra.)

Statement showing number of candidates who appeared for the High School and Intermediate examinations in 1925, 1926 and 1927, and of those who passed.

		Number appeared.			Number passed.		
		1925.	1926.	1927.	1925.	1926.	1927.
High School Examination	..	7,163	7,769	8,685	4,379	4,105	4,739
Intermediate Examination	..	2,926	3,588	4,108	1,547	1,837	2,325

APPENDIX L.

(See page 555 supra.)

Statement referred to in the answer to unstarred question No. 30 for November 3, 1927.

		B.A.				B.Sc.			
		Pass.		Honours.		Pass.		Honours.	
		Number ap- peared.	Number pass- ed.	Number ap- peared.	Number pass- ed.	Number ap- peared.	Number pass- ed.	Number ap- peared.	Number pass- ed.
1925.									
Allahabad University	..	495	272	..	..	216	132	..	..
Lucknow "	..	101	73	23	21	46	34	9	7
Benares Hindu University	..	195	140	9	4	72	39	4	2
Aligarh Muslim "	..	223	204	12	7	50	43	9	9
Total	..	1,014	689	44	32	384	248	22	18
1926.									
Allahabad University	..	532	312	..	..	229	169	..	..
Lucknow "	..	140	78	10	10	52	37	6	5
Benares Hindu University	..	200	151	5	4	102	70	10	3
Aligarh Muslim "	..	242	184	6	4	51	28	4	3
Total	..	1,114	725	21	18	434	304	20	11
1927.									
Allahabad University	..	563	346	..	..	201	155	7	6
Lucknow "	..	164	110	11	11	56	41	5	4
Benares Hindu University	..	163	106	12	3	87	51	9	2
Aligarh Muslim "	..	275	185	12	7	65	31	9	9
Total	..	1,165	747	35	21	409	278	30	21

NOTE.—The figures do not include candidates from Indian States.

APPENDIX M.

(See page 556 *supra*.)*Statement referred to in the answer to unstarred question no. 34 for November 3, 1927.*

Number of special schools for primary education of boys of the depressed classes.	814
Number of boys of depressed classes reading in special primary schools above	22,926
Number of boys of depressed classes reading in other schools	69,051
Number of girls of depressed classes under instruction	2,352
Number of depressed class boys reading in the middle stage	1,359
Number of depressed class boys reading in the high stage	41
Number of depressed class boys reading in the intermediate stage	11
Number of depressed class boys reading in post-intermediate stage	4
Number of students of depressed classes, undergoing training in normal schools and teachers' training classes	

APPENDIX N.

(See page 558 *supra*.)

Statement referred to in the answer to unstarred question No. 40 for November 3, 1927.

Serial no.	Name.	District.	Age.
<i>Over 68 but under 74 years of age.</i>			
1	Babu Bhaboti Narayan Singh.. ..	Ghazipur ..	68
2	Nawab Muhammad Ali Khan.. ..	Lucknow ..	68
3	Subedar Major Gokul Prasad	Banda ..	69
4	Khan Bahadur Saiyid Qasim Ali	Meerut ..	70
5	M. Muhammad Amir Ali Khan	Farrukhabad ..	70
6	Khan Bahadur M. Fazl Rabb	Allahabad ..	70
7	Pandit Beni Ram	Mirzapur ..	70
8	Saiyid Muhammad Nuh	Jaunpur ..	70
9	Saiyid Khalil-ud-din	Rae Bareli ..	70
10	Khan Bahadur Saiyid Lutf Husain	Hardoi ..	70
11	Honorary Captain Sardar Bahadur Chamu Singh, Burathoki.	Almora ..	71
12	Pandit Bishesar Nath	Fyzabad ..	71
13	Babu Shambhu Nath	Farrukhabad ..	72
14	Babu Girdhar Gopal	Do. ..	72
15	Babu Basdeo Lal	Lucknow ..	72
16	Rai Sahib Kunwar Kamta Prasad	Hardoi ..	72
17	Sardar Bahadur Honorary Captain Risaldar Major Lal Singh.	Bulandshahr ..	73
18	Raja Francis Xavier Shiam Rikh of Tajpur ..	Bijnor ..	73
19	Nawab Ali Husain Khan	Fatehpur ..	73
20	Rai Bahadur Pandit Dharmanand Joshi, M.B.E. ..	Almora ..	73
21	M. Ali Bahadur	Moradabad ..	73
<i>74 years of age and over.</i>			
1	Khan Bahadur Qazi Mihrban Ali	Meerut ..	74
2	Rai Sahib Madan Mohan Lal.. ..	Budaun ..	74
3	Munshi Abdus Sattar	Rae Bareli ..	74
4	Rai Sahib Chaube Radhe Lal	Meerut ..	75
5	Thakur Laiq Singh	Mainpuri ..	75
6	Khan Bahadur Mir Sajja Husain	Bijnor ..	75
7	Rai Sahib Pandit Badri Das	Meerut ..	76
8	Khan Bahadur Muhammad Alamgir Khan ..	Bijnor ..	76
9	Babu Girish Chandra Bose	Lucknow ..	78

APPENDIX O.

(See page 503 *supra*.)

*Statement referred to in the answer to unstarred question No. 40
for November 3, 1927.*

(a) LIST OF HONORARY ASSISTANT COLLECTORS WHO HAVE
PASSED THE 65TH YEAR OF THEIR AGE.

Name.	District.	Age on October 1, 1927.		
		Y.	m.	d.
(1) Rai Bahadur Chiranjil Lal	Meerut	72	6	0
(2) Pandit Bakhtawar Singh	Do.	70	5	0
(3) Babu Sri Kishan Lal	Etah	69	4	15
(4) Khan Bahadur Munshi Fazl Rabb	Allahabad	69	6	0
(5) S. M. Abdus Sattar	Rae Bareilly	73	9	0
(6) Rai Bahadur Thakur Har Govind Singh	Wyzabad	68	3	0

(b) LIST OF HONORARY ASSISTANT COLLECTORS WHO HAVE
PASSED THE 74TH YEAR OF THEIR AGE.

Name.	District.	Age on October 1, 1927.		
		Y.	m.	d.
(1) Khan Bahadur Muhammad Alamgir Khan.	Bijnor	76	3	0
(2) Rai Bahadur Thakur Ganesh Singh Kaziabash.	Moradabad	76	10	0

APPENDIX P.

*(See page 558 supra.)**Statement referred to in the answer to unstarred question No. 42 for November 3, 1927.*

42. (a) (1) Moradabad.
 (2) Bareilly.
 (3) Bulandshahr.
 (4) Lakhimpur.
 (5) Ghazipur.
 (6) Kashipur.
 (7) Brindaban.
 (8) Kunch.
 (9) Roorkee.
 (10) Sitapur.
 (11) Hardoi.
 (12) Meerut.
 (13) Muttra.
 (14) Naini Tal.
 (15) Ghaziabad.
 (16) Firozabad.
 and (17) Kasganj.
- (b) (1) Cawnpore (Moolganj and Patkapur wards).
 (2) Balrampur (Purania Tal ward).
 (3) Lucknow (Wazirganj ward).
 (4) Farrukhabad-cum-Fatehgarh (ward No. V).
 (5) Unao (Northern ward).
 (6) Sonon (ward No. III).
 (7) Muzaffarnagar (ward No. II).
 (8) Agra (Kotwali ward).
 (9) Jhansi (wards Nos. IV and VI).
 (10) Aligarh (Rasalganj ward).
 (11) Allahabad (wards Nos. IV and V).
 (12) Benares (Chowk ward).

[Nov. 3, 1927.]

APPEN

(See page 559)

Statement showing number of country spirit, foreign liquor and
recommendations of Municipal and District

District.	Closed from April 1, 1923.		Closed from April 1, 1924.		Closed from April 1, 1925.	
	Country shops.	Foreign liquor shops.	Country shops.	Foreign liquor shops.	Country shops.	Foreign liquor shops.
PROVINCE OF AGRA.						
Dehra Dun ..	..	..	..	..	..	..
Saharanpur ..	..	4	..	2	..	..
Muzaffarnagar ..	..	4	..	..	..	..
Meerut ..	..	..	..	..	..	..
Bulandshahr ..	..	..	..	..	..	..
Aligarh ..	13	..	..	2	..	..
Muttra ..	2	..	..	..	..	..
Agra ..	1	..	..	..	..	..
Mainpuri ..	..	..	..	..	..	..
Etah ..	..	..	..	..	..	..
Barcilly ..	..	..	3	..	..	..
Bijnor ..	1	..	6	..	2	..
Budaun ..	1	..	2	..	..	..
Moradabad ..	16	..	2	..	2	..
Shahjahanpur ..	..	..	2	..	..	..
Pilibhit ..	..	..	1	..	1	..
Farrukhabad ..	..	..	4	..	1	..
Etawah ..	..	..	10	..	..	..
Cawnpore ..	..	..	..	1	..	..
Fatehpur ..	..	..	..	..	..	..
Allahabad ..	4	..	12	..	..	..
Banda ..	1	..	..	..	..	..
Hamirpur ..	8	..	..	..	..	..
Thansi ..	..	..	9	..	1	..
Jalaun ..	2	..	..	..	1	..
Bonares ..	..	..	..	..	..	..
Mirzapur ..	2	..	6	..	5	..
Jaunpur ..	..	..	..	..	1	..
Ghazipur ..	..	..	..	..	..	..
Ballia ..	1	..	..	..	1	..
Gorakhpur ..	6	..	..	..	1	..
Basti ..	1	..	2	..	5	..
Azamgarh ..	2	..	6	..	2	..
Naini Tal ..	..	..	..	..	1	..
Almora ..	..	..	..	..	1	..
Garhwal ..	..	..	..	..	..	..
OUDEH.						
Lucknow ..	..	..	..	..	..	..
Unao ..	8	..	1	..	..	..
Rae Bareilly ..	2	..	..	..	..	..
Sitapur ..	..	..	..	..	..	..
Hardoi ..	1	..	5	..	..	..
Kheri ..	..	..	1	..	4	..
Fyzabad ..	8	..	..	..	..	..
Gonda ..	..	..	2	..	..	..
Bahraich ..	..	..	..	..	10	..
Sultanpur ..	..	..	10	..	14	..
Partabgarh ..	..	..	..	..	1	..
Bera Banki ..	..	..	..	..	..	..
Total, United Provinces	89	..	86	1	56	..

NOTE.—Country liquor
Tari year begins

DIX Q.

supra.)

tari shops which have been closed on account of giving effect to the Excise Advisory Committees in United Provinces.

Closed from April 1, 1926.		Closed from April 1, 1927.		Total no. of shops closed.		Tari shops closed from—					Total no. of tari shops closed.
Country shops.	Foreign shops.	Country shops.	Foreign shops.	Country shops.	Foreign shops.	October 1, 1923.	October 1, 1924.	October 1, 1925.	October 1, 1926.	October 1, 1927.	
1	1	2	..	..	..	..	..	..	..	..
1	1	..	..	..	..	..	..	..	..	..
1	
1	
2	..	1	..	..	..	..	..	..	..	..
..	
..	1	..	7	
2	
..	..	1	..	..	..	..	..	..	..	..
..	
4	..	5	..	..	..	..	..	..	..	..
1	..	1	..	..	..	93	..	21	2	..	
1	..	0	..	..	..	..	..	..	..	..
1	..	0	..	..	..	..	..	..	..	..
..	..	11	..	..	..	1	1	..	..	..
..	..	4	..	..	..	..	..	..	..	..
..	..	1	..	..	..	..	..	..	..	..
2	
..	1	3	..	
1	..	1	..	..	..	..	..	3	2	..	
..	3	3	
1	..	2	..	..	..	..	..	5	10	1	
4	..	1	..	..	..	..	..	8	51	58	
..	..	2	..	..	..	..	..	..	17	..	
..	
1	
1	
..	
8	..	0	..	..	..	..	6	1	3	3	
..	..	3	..	..	..	..	..	1	3	8	
2	
..	..	3	..	..	..	..	..	..	..	..
1	..	1	..	..	..	..	..	1	..	4	
8	..	5	..	..	..	..	..	3	..	1	
1	..	1	..	..	..	..	..	..	..	2	
..	
..	..	2	..	..	..	..	..	..	2	1	
40	1	51	..	316	2	94	7	45	96	85	327

includes tari also.
from October.

APPENDIX

Statement showing number of country spirit, foreign liquor and recommendations of

District.	Closed from April 1, 1923.		Closed from April 1, 1924.		Closed from April 1, 1925.	
	Country shops.	Foreign liquor shops.	Country shops.	Foreign liquor shops.	Country shops.	Foreign liquor shops.
PROVINCE OF AGRA.						
Dahra Dun	1	..
Saharanpur	1	..	..	..	..
Muzaffarnagar
Moorut ..	1	..	..	..	..	..
Bulandshahr
Aligarh
Hathras
Muttra
Agra
Mainpuri
Etah
Bareilly	1	..	..	..
Bijnor
Budaun
Moradabad
Shahjahanpur	1	..	1	..
Pilibhit
Farrukhabad	1	..
Etawah
Cawnpore ..	3	1	..	..	..	1
Fatehpur
Allahabad ..	1	..	..	..	..	..
Banda
Hamirpur
Jhansi ..	2	1	..	..	..	..
Jalaun
Bonares
Mirzapur
Jaunpur
Ghazipur
Ballia
Gorakhpur
Basti
Azamgarh
Naini Tal
Almora
Garhwal
OUDEH.						
Lucknow
Unao
Rae Bareli
Sitapur
Hardoi
Kheri
Fyzabad ..	1	..	..	..	..	..
Gonda
Bahraich
Sultanpur
Partabgarh
Bare Banki
Total, United Provinces	8	8	2	..	8	1

NOTE.—Country liquor
Taxi year begins

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Friday, November 4, 1927.

THE Council met in the Council Hall, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT—93.

The Hon'ble Sir Sam O'Donnell.	Babu Kishori Prasad.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Mulchand Dube.
The Hon'ble Rai Rajeshwar Bali.	Pandit Devata Prasad.
The Hon'ble Thakur Rajendra Singh.	Babu Shyam Lal.
The Hon'ble Nawab Muhammad Yusuf.	Pandit Venkatesh Narayan Tivary.
Kunwar Jagdish Prasad.	Babu Kavendra Narayan Singh.
Mr. H. S. Crosthwaite.	Pandit Sri Sadayatan Pande.
Mr. Panna Lal.	Raja Sri Krishna Dutt Dube.
Sir Ivo Elliott* Bart.	Thakur Shiva Shankar Singh.
Mr. J. H. Darwin.	Rai Bahadur Thakur Hanuman Singh.
Mr. H. A. Lane.	Rai Bahadur Babu Abhinandan Prasad.
Mr. R. L. Yorke.	Bhaya Hanumat Prasad Singh.
Mr. R. Oakden.	Pandit Govind Ballabh Pant.
Mr. A. W. McNair.	Pandit Badri Dutt Pande.
Khan Bahadur Chaudhri Wajid Husain.	Sirdar Nihal Singh.
Mr. E. L. Norton.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. F. F. R. Channer.	Rai Bahadur Babu Mohan Lal.
Mr. R. J. S. Dodd.	Rai Bahadur Pandit Sankata Prasad Bajpai.
Col. R. F. Baird.	Babu Mahendra Deva Varma <i>alias</i> Lalji.
Mr. A. H. Mackenzie.	Raja Raghuraj Singh.
Mr. G. Clarke.	Maharaj Kumar Major Mahijit Singh.
Mirza Muhammad Sajjad Ali Khan.	Kunwar Surendra Pratap Sahi.
Khan Bahadur Mr. Masud-ul-Hasan.	Mr. C. Y. Chintamani.
Mr. E. Ahmad Shah.	Haji Abdul Qayum.
Babu Rama Charana.	Maulvi Zahur-ud-din.
Babu Lakshmi Narayan Gargh.	Saiyid Tufail Ahmad.
Babu Ganesh Shankar Vidyarthi.	Khan Bahadur Shaikh Zia-ul-Haq.
Mr. A. P. Dube.	Lieut. Nawab Muhammad Jamshed Ali Khan.
Pandit Rahas Bihari Tiwari.	Nawabzada Muhammad Liaquat Ali Khan.
Babu Sampurnanand.	Hafiz Muhammad Ibrahim.
Babu Bhagwati Sahai Bedar.	Khan Bahadur Hafiz Hidayat Husain.
Thakur Manjit Singh Rathor.	Maulvi Saiyid Habib-ullah.
Rai Sahib Lala Jagdish Prasad.	Khan Bahadur Shah Badre Alam.
Chaudhri Vijai Pal Singh.	Khan Bahadur Shaikh Saiyid Muhammad <i>alias</i> Maiku Mian.
Chaudhri Dharamvir Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Pandit Nanak Chand.	Khan Bahadur Maulvi Fasih-ud-din.
Thakur Partap Bhan Singh.	Shaikh Muhammad Habib-ullah.
Thakur Hukum Singh.	Chaudhri Niamat-ullah.
Raja Kushal Pal Singh.	Mr. St. George H. S. Jackson.
Thakur Gulab Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Lieut. Raja Kali Charan Misra.	Raja Shambhu Dayal.
Lala Nemi Saran.	Kunwar Bisheswar Dayal Seth.
Chaudhri Badan Singh.	Raja Jagannath Baksh Singh.
Rao Sahib Kunwar Sardar Singh.	Rai Bahadur Babu Vikramajit Singh.
Thakur Sadho Singh.	Pandit Iqbal Narayan Gurtu.
Pandit Brijnandan Prasad Misra.	
Pandit Bhagwat Narayan Bhargava.	
Rao Udaibir Singh.	

QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

* 1 and *2. Pandit Govind Ballabh Pant : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

THE *Sainik* OF AGRA.

* 3. Pandit Govind Ballabh Pant : (1) Was the issue of the *Sainik* of Agra, dated August 31, 1927, forfeited by Government because it contained an article headed "*Bomb party ka itihasa*?"

(2) Was this article one of the series translated from Dr. Bhupendra Nath's book called "*Aprakashit Rajnaitik Itihasa*" (unpublished political history) which had been appearing weekly in successive issues of the *Sainik*?

(3) Is the said book "*Aprakashit Rajnaitik Itihasa*" proscribed?

(4) When was it published?

(5) Will the Government be pleased to point out the passages which are considered to be seditious in the above article?

(6) (a) When was this issue of the *Sainik* published, and (b) when was the notification confiscating it issued?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

(1) Yes.

(2) Not so far as Government are aware.

(3) and (4) Do not arise.

(5) The answer is in the negative.

(6) (a) The issue of the *Sainik* is dated August 31, 1927,

(b) September 28, 1927.

Pandit Bhagwat Narayan Bhargava : Has the Government read the book of Dr. Bhupendra Nath's?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No

Pandit Bhagwat Narayan Bhargava : Then how is the Government in a position to state that this portion was not taken from that book?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : That is our information.

Pandit Bhagwat Narayan Bhargava : May I know by whom the Hon'ble the Home Member has been informed?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Through our officer in charge.

Pandit Bhagwat Narayan Bhargava : Is the Government in a position to state that the officer in charge who informed the Hon'ble the Home Member did see this book of Dr. Bhupendra Nath's?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Lala Nemi Saran : Has the Government got this book examined by any of the officers on special duty to see whether the passage occurs in the book or not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As far as I know it has not been published as we have said.

Lala Nemi Saran : I want to know if this book, "*Aprakashit Rajnaitik Itihasa*," has been examined by any of the officers of Government or not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : As far as we know this book has not been published. That is our information.

Lala Nemi Saran : Did the Government make any effort to get a copy of this book? Did the Government send for this book or not?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think the department in charge must have sent for this book.

Lala Nemi Saran : May I know who was the officer who informed the Government that this passage does not occur in that book?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not prepared to give the name of the officer.

Pandit Govind Ballabh Pant : Did this Government make any inquiry from the Government of Bengal if the book of the name of "*Aprakashit Rajnaitik Itihasa*" has been published in that province?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not think so. There is hardly any necessity for this, because it is open to the man, if our decision is wrong, to go to the High Court and get a decision.

Pandit Govind Ballabh Pant : That does not meet my question. Has this Government made any inquiry from the Government of Bengal as to whether that book had been published in that province?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware. Perhaps the department concerned might have tried to find it out from the Bengal Government.

Pandit Govind Ballabh Pant : Is the Government aware of the fact that such a book has been published and has been in the market in Bengal for a series of years?

The Hon'ble the President : That does not arise in view of the answer given.

Pandit Govind Ballabh Pant : Was it one of the series of articles that were appearing in the *Sainik* for several weeks before?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware.

Pandit Govind Ballabh Pant : Has the Hon'ble the Home Member read that article?

The Hon'ble the President : The answer has already been given in reply to a previous question.

Pandit Govind Ballabh Pant : May I know why has the Government not considered it proper to point out the passages which are considered to be seditious in the article?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reason is very obvious. We do not want to give further publicity to the proscribed portion.

Pandit Govind Ballabh Pant : Were those passages pointed out to the editor or manager of the *Sainik*?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware.

Pandit Govind Ballabh Pant : How many numbers of this particular issue of the *Sainik* were confiscated ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know.

Pandit Govind Ballabh Pant : Was there any possibility of further mischief after that particular issue of the *Sainik* had been published, had been in the market and open to everybody between August 31 and September 28 ?

Pandit Govind Ballabh Pant : Was it about a month after the issue of that particular number of the *Sainik* that it was confiscated ?

Th Hon'ble the President : This can be inferred from the answer.

Lala Nemi Saran : Is the Government aware that this book "*Aprakashit Rajnaitik Itihasa*" is not confiscated by any order of the Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think we have said whatever we had to say in our reply.

Pandit Badri Dutt Pande : Before confiscation of this article was any notice sent to the editor that this article was seditious and that he should not publish it ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We were not aware before that he was going to publish it.

Lala Nemi Saran : In reply to part (3) of the question the answer given is "Does not arise." May I know if the Government is in a position to say whether it has any knowledge that this book, which is a printed book, is confiscated or not ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I do not know whether the book has or has not been confiscated. We said in our reply whatever we had to say.

Lala Nemi Saran : Is it the intention of the Government to send for this book and get it examined by one of its officers in order to see whether the allegations made by the honourable member in his question are correct or not ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think there is nothing for the Government to take any step. It is open to the editor of the *Sainik* to appeal to the High Court and prove that our decision was wrong.

* 4 to *7. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

ALLOWANCE TO PADHANS IN THE GOVERNMENT ESTATES.

* 8. **Pandit Govind Ballabh Pant :** Did the Hon'ble the Finance Member accept the reasonableness of the suggestion that the allowance paid to padhans in the Government estates should be raised, as occupancy rights have been conferred on the tenants there ? Has it been increased accordingly ? If so, what is the present rate ?

The Hon'ble Sir Sam O'Donnell : The Hon'ble the Finance Member agreed that the conferment of occupancy rights on tenants in Government estates gave reason for considering whether padhan's fees should be raised. Government have examined the matter and consider that the fees are adequate. They do not therefore propose to raise them.

Pandit Govind Ballabh Pant : What fees are granted to these padhans at present ?

The Hon'ble Sir Sam O'Donnell : I do not remember at the moment. I did know them some time ago when I got a note on the subject. Ten per cent. on the collections, I am told.

Pandit Govind Ballabh Pant : Has the conferment of occupancy rights in any way affected the power and control which was exercised by these padhans over the tenants so far ?

The Hon'ble Sir Sam O'Donnell : I do not think it has had any effect so far. Whether it will have any effect in future I can not say. The measure is so recent that I do not think it could have had any practical effect up to date.

Pandit Govind Ballabh Pant : Are these padhans responsible for the payment of the entire amount of rent for the village ?

The Hon'ble Sir Sam O'Donnell : They have been so far, I believe.

Pandit Govind Ballabh Pant : Has the Government discontinued that practice now ?

The Hon'ble Sir Sam O'Donnell : Not, as far as I remember.

Pandit Govind Ballabh Pant : What is the average proportion of bad collections in the Court of Wards' estates ?

The Hon'ble the President : That, I think, does not arise out of the question.

EXTENSION OF IRRIGATION FACILITIES IN THE HILLS.

* 9. **Pandit Govind Ballabh Pant :** Has the Government considered the question about the extension of irrigation facilities in the hills ? If so, has it arrived at any conclusions ? Will it be pleased to state what they are ?

The Hon'ble Sir Sam O'Donnell : No. Government do not consider that the possibilities of extending irrigation in the hills are such as would justify their investigation, especially as this would necessitate the withdrawal of staff from promising schemes in the plains which are now absorbing the time of every available officer of the Irrigation department.

Pandit Govind Ballabh Pant : Is it not possible for the Government to employ any additional hand or hands for the purpose ?

The Hon'ble Sir Sam O'Donnell : I doubt if it would justify the expense. There could be only extremely small schemes in the hills, not large schemes as there are in the plains.

Pandit Govind Ballabh Pant : Would it cost a considerable amount to employ one or two men just to explore the possibility of extending this irrigation system to the hills ?

The Hon'ble Sir Sam O'Donnell : I do not know what the expense will be, but I do not think we shall be justified in incurring this expenditure just to carry on investigations, with so short a staff.

**RAISING OF THE GRANT FOR THE EDUCATION OF DEPRESSED CLASSES
TO NAINI TAL DISTRICT BOARD.**

*** 10. Pandit Govind Ballabh Pant :** Has the district board of Naini Tal made any recommendation that the grant for the education of depressed classes in the district should be raised? Has the Government passed any orders on the subject? If so, what?

The Hon'ble Rai Rajeshwar Bali : Yes; the matter is under the consideration of Government.

RASTRIYA KANYA PATHSHALA, BANDA.

*** 11. Pandit Govind Ballabh Pant :** What is the number of girls in the Rastriya Kanya Pathshala, Banda? Has any application for grant-in-aid been received from the managers of the said school? If so, has any grant been sanctioned? If so, how much?

The Hon'ble Rai Rajeshwar Bali : 127.

Yes.

The matter is under the consideration of Government.

SETTLEMENTS FOR CRIMINAL TRIBES.

*** 12. Pandit Govind Ballabh Pant :** Has any indigenous body approached the Government with the request that it be permitted to start settlements for criminal tribes? Has the Government given the permission? What facilities is the Government prepared to offer to them?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The Shraddhanand Dalit Uddhar Sabha, Delhi, and the Arya Pratinidhi Sabha, United Provinces, have stated that they are willing to start new criminal tribes settlements and that they will submit proposals for the approval of the Government. The Government have replied that they would welcome concrete proposals. As soon as such proposals are received Government will consider the facilities they can offer.

LOANS ADVANCED BY THE BOARD OF LOAN COMMISSIONERS.

*** 13. Pandit Govind Ballabh Pant :** Will the Government be pleased to lay a statement on the table containing particulars about the loans advanced by the Board of Loan Commissioners to various bodies, the amounts that fell due, the sums that were recovered and that were written off, in chronological order, during the last three years? Are any proposals for wiping out any debts pending before the Government at present? If so, from whom? Are such proposals laid before the Finance Committee?

The Hon'ble Sir Sam O'Donnell : For the first part of the question the honourable member is referred to the answer to starred question No. 18 of March 22, 1927.

A proposal to write off the loan of Rs. 80,000 to the Indian Bobbin Company is under consideration and will come before the Finance Committee. The proposal was made by Government.

Pandit Govind Ballabh Pant: Is the directorate of the Indian Bobbin Company common with that of the Indian Rosin Company?

The Hon'ble Sir Sam O'Donnell: Not altogether, I should think.

Pandit Govind Ballabh Pant: Are most of the members common?

The Hon'ble Sir Sam O'Donnell: To a certain extent they are. I do not know the exact names, but they are not altogether common.

Pandit Govind Ballabh Pant: Is the Indian Rosin Company earning good profit?

The Hon'ble Sir Sam O'Donnell: Yes.

Pandit Govind Ballabh Pant: Did the Government take that point into consideration while considering the case of the Indian Bobbin Company?

The Hon'ble Sir Sam O'Donnell: The shares are quite separate.

*Copy of starred question No. 18 asked on March 22, 1927,
and the answer given thereto.*

QUESTION.

* Will the Government be pleased to lay a statement on the table giving the following particulars :—

(1) The amount advanced by the Board of Loan Commissioners in 1922 to 1926 to—

(i) persons, and

(ii) institutions;

(2) The conditions under which and the security, if any, on which such amount was advanced;

(3) The purpose or purposes for which the amount was advanced;

(4) The amount recovered by the Board of Loan Commissioners, and the amount that has not been paid by each?

ANSWER.

A statement † is laid on the honourable member's table showing the advances made by Government, with particulars of objects, security and recoveries. The Board of Loan Commissioners, which is an advisory committee, neither advances loans on its own authority, nor recovers advances.

†(See Appendix A, page 733.)

VALUE OF SALES EFFECTED IN THE ARTS AND CRAFTS EMPORIUM
AT LUCKNOW.

*14. **Pandit Govind Ballabh Pant:** What was the total value of the sales effected in the Arts and Crafts Emporium at Lucknow yearly during the last two years? What were the classes of goods sold and who were the purchasers? What were the profits earned annually? What was the corresponding expenditure in the emporium?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh): The total sales during 1925-26 and 1926-27 amounted to Rs. 21,372 and Rs. 20,253 respectively, and the corresponding net expenditure to Rs. 14,926 and Rs. 6,280 respectively. The articles sold were chiefly Moradabad and Benares brassware, silk goods, carpets, artistic woodwork, pottery, calico prints, artistic cotton goods and silverware. The purchasers were mainly from among the

upper classes of the province and Government officials, and also firms and individuals outside India. No profits were earned as business was confined to disposing of old stock at greatly reduced prices.

Pandit Govind Ballabh Pant: What was the value of this stock that was sold originally and what was the price that it really fetched?

The Hon'ble Rai Rajeshwar Bali: (*for the Hon'ble Thakur Rajendra Singh*): I must ask for notice.

Pandit Govind Ballabh Pant: Considering the very small volume of business carried on in this emporium and the considerable expenditure incurred over it, will the Hon'ble Minister consider the advisability of closing it?

The Hon'ble Rai Rajeshwar Bali: It will be considered by my colleague.

APPOINTMENTS OF THE DEPUTY DIRECTOR OF INDUSTRIES AND THE ASSISTANT STORES PURCHASE OFFICER.

***15. Pandit Govind Ballabh Pant:** Have the Deputy Director of Industries and the Assistant Stores Purchase Officer been appointed? If so, when were the appointments made? Were the posts advertised? How many applicants were there in each case?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*): The posts have been advertised, but no appointments have yet been made.

Pandit Govind Ballabh Pant: Will the appointments be made any time in this financial year or after?

The Hon'ble Rai Rajeshwar Bali: I believe they will be made this year.

Pandit Govind Ballabh Pant: Is the Hon'ble Minister speaking for himself or for his colleague?

***16. Pandit Govind Ballabh Pant:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

***17 to *19. Maulvi Zahur-ud-din:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

***20 to *23. Babu Kishori Prasad:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

***24 to *30. Chaudhri Mangat Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

REMOVAL OF MUNSIF'S COURT FROM DEOBAND.

***31. Khan Bahadur Shaikh Zia-ul-Haq:** (a) Will the Government be pleased to state if the removal of the munsif's court (munsifi) from Deoband is under consideration?

(b) If so, has Government taken into consideration the prejudicial effects it will produce on the trade of the town?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The matter is under consideration. No decision will be taken without a full examination of the probable effects of the change.

Lieut. Nawab Muhammad Jamshed Ali Khan : Will the Government consult the local people about this ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The difficulty in these matters is that there is always a difference of opinion and it is very difficult to get the real and unanimous opinion of the local public.

Khan Bahadur Hafiz Hidayat Husain : Are Government aware of the population and importance of the place ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

Khan Bahadur Hafiz Hidayat Husain : Why has not a munsif been posted at Deoband ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think that question does not arise. The question is whether the munsifi is going to be transferred from Deoband or not.

POSTING OF A MUHAMMADAN MUNSIF TO THE DEOBAND MUNSIFI.

* 32. **Khan Bahadur Shaikh Zia-ul-Haq :** Is the Government aware that no Muhammadan munsif has been posted to the Deoband munsifi for the last 25 years ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Except for the period from 1857 to 1902, for which no information is available, the reply is in the affirmative.

Lieut. Nawab Muhammad Jamshed Ali Khan : Will the Hon'ble the Home Member be pleased to state the reasons ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no special reason. The best available man, the man most fit for the post, is appointed.

Lala Nemi Saran : Are no posts reserved for different communities ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We cannot give any undertaking about it. As we have already said, our policy is to send the best possible man irrespective of whether he is a Hindu or Muhammadan.

* 33. **Khan Bahadur Shaikh Zia-ul-Haq :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

METALLING OF THE GRAND TRUNK ROAD.

* 34. **Khan Bahadur Shaikh Zia-ul-Haq :** (a) Will the Government be pleased to state if it is prepared to have the portion of the Grand Trunk road between Saharanpur and Muzaffarnagar metalled ?

(b) If so, when is it to be expected ?

The Hon'ble Nawab Muhammad Yusuf : The Board of Communications have approved of the project to metal this road. The Government cannot say when it will be possible to provide funds for the work.

* 35 to * 37. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 38. **Chaudhri Dharamvir Singh :** [*Disallowed.*]

* 39. **Chaudhri Dharamvir Singh** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

VEGETABLE GHI.

* 40. **Chaudhri Dharamvir Singh** : (i) Has any analysis of the composition of vegetable ghee sold in markets in the United Provinces been made in any Government laboratory in the United Provinces? (ii) If so, what are the ingredients of which it is composed?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : (i) Yes, at the Harcourt Butler Technological Institute, Cawnpore.

(ii) The ingredients are pure vegetable oil, which is for the most part pure groundnut oil, which has been hydrogenated after being very highly refined.

Chaudhri Dharamvir Singh : Am I to understand that vegetable ghee does not contain any animal ingredients?

The Hon'ble Rai Rajeshwar Bali : I believe it does not.

EXPENDITURE OVER INCREMENTS IN SALARIES.

* 41. **Chaudhri Dharamvir Singh** : Will the Government be pleased to state the total amount of expenditure over increments in salaries in July, 1927, as compared with July, 1918, and the amounts spent respectively on (a) Imperial services, (b) others?

The Hon'ble Sir Sam O'Donnell : To obtain the details required by the honourable member would necessitate the examination of countless bills, for which work extra staff would be necessary. The Government are not prepared to incur expenditure on such a purpose.

* 42. **Khan Bahadur Hafiz Hidayat Hussain** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 43 and * 44. **Babu Sampurnanand** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

FORMS FOR INTERVIEWING CONVICTS IN JAILS.

* 45. **Babu Sampurnanand** : (a) Are the forms which persons wishing to interview convicts in jails have to fill up printed both in Nagri and Urdu characters? (b) If so, why are Nagri forms not available at the Benares district jail?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The forms are printed in Urdu only.

(b) Does not arise.

Babu Sampurnanand : What is the reason why forms are not printed in Nagri?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I cannot give the reason. I do not know.

FORMS OF INTIMATION TO JURORS AND ASSESSORS.

* 46. **Babu Sampurnanand :** (a) Is Government aware that the forms of intimation sent to jurors and assessors have *tum* printed on them? (b) Will Government consider the desirability of substituting *ap* for *tum*?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes. (b) Government will consider the question.

*47 to *52. **Babu Sampurnanand :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

*53 to *59. **Chaudhri Dharamvir Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

COTTON CULTIVATION IN AGRA AND IN OUDH.

*60. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to lay a statement before the Council showing the area under cotton cultivation in Agra and in Oudh and the outturn of cotton therein during the last five years?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : The honourable member is referred to the Season and Crop reports for 1922-23 to 1923-27. Figures of outturn are available for the two provinces together and not separately for Agra and Oudh.

*61. **Pandit Bhagwat Narayan Bhargava :** Which of the districts in the United Provinces are backward in the cultivation and production of cotton?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : (1) In 23 districts the area grown is less than 5,000 acres.

(2) In three districts the area grown is between 5,000 and 10,000 acres.

(3) In twelve districts the area grown is between 10,000 and 35,000 acres.

(4) In ten districts the area grown is over 35,000 acres.

A list of districts in classes (1) and (2) is laid on the honourable member's table.

(See Appendix B, page 735.)

* 62. **Pandit Bhagwat Narayan Bhargava :** Does the Government intend to take any special steps to encourage and increase the cultivation of cotton in the United Provinces specially in the backward districts? If so, what?

The Hon'ble Rai Rajeshwar Bali (for the Hon'ble Thakur Rajendra Singh) : The rainfall in districts given under (1) and (2) in answer to Council question No. 61 is too high for cotton to mature properly. The liability of these districts to heavy rainfall at critical periods of growth, viz., when the cotton is flowering and the bolls are forming, makes cotton a risky crop and prevents satisfactory yields. Government do not propose to undertake schemes to increase the area of cotton in districts where the conditions are unsuitable and where more profitable food-grains can be grown. Active work to increase the outturn of cotton is proceeding in districts suitable for cotton cultivation. Cottons

introduced by the Agricultural department, which give twenty per cent. increase in yield and fetch a higher price on account of superior colour and ginning percentage are rapidly replacing the varieties now grown.

WEAVING AND SPINNING INDUSTRIES IN THE UNITED PROVINCES.

* 63. **Pandit Bhagwat Narayan Bhargava** : What is the number of persons in the United Provinces who live purely on weaving? Has their number increased or decreased during the last two decades, and by how much?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : The honourable member is referred to the census reports for 1901, 1911, and 1921, respectively, in which the figures are given. The number has decreased.

* 64. **Pandit Bhagwat Narayan Bhargava** : Has the Government taken any steps to help the village weaver in his struggle against the mills? If so, what and when?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : The recommendations of the committee appointed in 1921 to consider, *inter alia*, ways and means of improving the handloom industry, have been carried out. Eight Government model weaving schools have been started and financial aid on a liberal scale has been given to local bodies and private organizations for starting weaving schools in the districts. Demonstrations in improved methods of weaving are given at important weaving centres, and arrangements are being made through the Stores Purchase department for the supply of suitable yarn to weavers at prices lower than those which they pay at present.

* 65. **Pandit Bhagwat Narayan Bhargava** : How much handspun and handwoven cloth and how much handwoven cloth made with Indian mill yarn was purchased by the Government during the last five years?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : No hand-spun and hand-woven cloth has been purchased. No figures for hand-woven cloth made with Indian mill yarn are available for the years 1922-23 and 1923-24, but in 1924-25, 1925-26 and 1926-27 the value of such cloth purchased was over Rs. 4,565, Rs. 18,705 and Rs. 12,692, respectively.

* 66. **Pandit Bhagwat Narayan Bhargava** : Has the Industries department organized any weavers' or spinners' societies in any village in the United Provinces? If so, where and how many? Will the Government state their full particulars?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : The organization of co-operative societies is the work of the Co-operative department. There are 54 weavers' societies, particulars of which will be found in the last published report of the Co-operative department.

FUNCTIONS OF THE STORES PURCHASE DEPARTMENT OF THE UNITED PROVINCES.

* 67. **Pandit Bhagwat Narayan Bhargava** : What are the functions of the Stores Purchase department of the United Provinces? How is it related to the Imperial Stores department?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*): The honourable member is referred to paragraphs 1 and 2 of the resolution No. 1909 of October 14, 1927, on the annual report of the Stores Purchase department for 1926-27 printed in the *United Provinces Gazette* of October 15, 1927.

The department has no relation to the Indian Stores department of the Government of India.

* 68. **Pandit Bhagwat Narayan Bhargava**: Is there any objection to the former including in its scope the purchase of stationery required for various Government departments? If so, what?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*): The matter is under the consideration of the Government.

* 69. **Pandit Bhagwat Narayan Bhargava**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

INTRODUCTION OF SPINNING IN GOVERNMENT GIRLS' SCHOOLS.

*70. **Pandit Bhagwat Narayan Bhargava**: In how many Government girls' schools has spinning been started as a compulsory measure?

The Hon'ble Rai Rajeshwar Bali: None.

* 71. **Pandit Bhagwat Narayan Bhargava**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

HOLIDAYS IN TREASURIES.

*72. **Pandit Bhagwat Narayan Bhargava**: Will the Government lay on the table a statement showing the holidays which are given for Hindu, Muslim and Christian festivals in treasuries?

The Hon'ble Sir Sam O'Donnell: A copy of the Government notification specifying what days are to be observed as holidays for treasuries in 1927 is laid on the honourable member's table.

(*See Appendix C, page 736.*)

DEWALI AND HOLI FESTIVALS.

*73. **Pandit Bhagwat Narayan Bhargava**: Is the Government aware that the festivals of *Dewali* and *Holi* continue necessarily for at least two days each? Is it the intention of the Government to increase the number of holidays on these occasions? If not, why?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to starred question No. 42 for April 1, 1924.

Pandit Bhagwat Narayan Bhargava: May I know the reason why Government is unwilling to extend the list of holidays for *Dewali* and *Holi*?

The Hon'ble Sir Sam O'Donnell: That is given in the answer referred to. The honourable member may look at the bottom of the page.

Pandit Bhagwat Narayan Bhargava: I want to know the reason for not extending the list of holidays for *Dewali* and *Holi*. The reason is not given there.

The Hon'ble Sir Sam O'Donnell : Generally speaking, it seems to me that the number of holidays in these provinces is extremely large. I believe including local holidays they amount to 113 days in the year.

Copy of stored question No. 42 and the answer given thereto on April 1, 1924.

QUESTION.

Will the Government be pleased to revise the list of holidays under the Negotiable Instruments Act, XXVI of 1911, adding holidays on *Sankranti Amavasya* for one day, *Eelipae* for one day, and *Ganga Ashura* for three days and extend *Holi* and *Dussehra* holidays both to two days?

ANSWER.

The Government is unwilling to extend the list of holidays under the Negotiable Instruments Act. The festivals mentioned are already observed as general holidays throughout the province.

PERMISSION TO TEACHERS OF MUNICIPAL AND DISTRICT BOARDS TO APPEAR AS PRIVATE CANDIDATES AT HIGH SCHOOL OR UNIVERSITY EXAMINATIONS.

* 74. **Pandit Bhagwat Narayan Bhargava :** Are district and municipal board teachers and the members of the district inspecting staff permitted to appear at any University or High School Examination as private candidates? If not, why?

The Hon'ble Rai Rajeshwar Bali : Yes; for the High School Examination, teachers and inspecting officers; for the examinations of the Allahabad, Lucknow, Benares Hindu and Aligarh Muslim Universities' teachers.

STUDY LEAVE TO MEMBERS OF THE SUBORDINATE EDUCATIONAL SERVICE.

* 75. **Pandit Bhagwat Narayan Bhargava :** (i) Has the Government granted study leave to any servant of the Subordinate Educational service during the last five years? (ii) If so, to how many and when? (iii) If not, will the Government state if existing rules do not permit the granting of such leave? (iv) Will the Government lay a copy of the rule concerned on the table?

The Hon'ble Rai Rajeshwar Bali : (i) No.

(ii) Does not arise.

(iii) Existing rules do not prohibit the grant of study leave to Subordinate Educational Service officers.

(iv) The honourable member is referred to rule 84 of the Fundamental Rules in the Financial Handbook, volume II.

Pandit Bhagwat Narayan Bhargava : With reference to part (i) is it due to the fact that no applications from Subordinate Educational Service officers were received for the grant of such leave?

The Hon'ble Rai Rajeshwar Bali : Government have received no such application.

* 76. **Pandit Bhagwat Narayan Bhargava :** How much money has the Government spent on the study leave allowances during the last five years?

The Hon'ble Rai Rajeshwar Bali : £ 2,400-7-10 plus Rs. 15,081-14.

PAY OF V. T. C. TEACHERS.

* 77. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state the minimum and maximum pay of V. T. C. teachers with and without advanced language qualifications serving in Government schools and intermediate colleges and under district boards ?

The Hon'ble Rai Rajeshwar Bali : In Government high and normal schools —

Minimum Rs. 50 ; maximum Rs. 125.

In Government model schools—

Assistants : minimum Rs. 30 ; maximum Rs. 45.

Head masters : minimum Rs. 55 ; maximum Rs. 70.

For the pay of teachers serving under district boards the honourable member is referred to rules 12, 13 and 15 of the District Board Educational rules.

* 78. **Pandit Bhagwat Narayan Bhargava** : How many such teachers are serving under the Government? Are they recruited to Government service even now ?

The Hon'ble Rai Rajeshwar Bali : 118. Yes, to model schools attached to normal schools.

HEAD OFFICES OF VARIOUS GOVERNMENT DEPARTMENTS.

* 79. **Pandit Bhagwat Narayan Bhargava** : What is the number of head offices of various departments in the districts of Agra, Meerut, Benares, Jhansi, Pandi, Hamirpur, and Jalaun ?

The Hon'ble Sir Sam O'Donnell : The head office of a department is the office of a head of a department. There are no such in the places mentioned except the Commissioner's offices in the first four.

MAINTENANCE OF AN INDEX REGISTER OF CORRESPONDENCE
IN COLLECTORATES.

* 80. **Pandit Bhagwat Narayan Bhargava** : (a) Do all the collectors of the districts maintain an index register of correspondence between collectors and other departments ?

(b) If so, will the Government be pleased to state with reference to the said register the number of receipts and despatches in each of the said districts during the last five years ?

The Hon'ble Sir Sam O'Donnell : (a) Collectors maintain a general register of correspondence, but not a separate register of correspondence with each department.

(b) The honourable member is referred to statement XXXII of the Revenue Administration reports.

CLASSIFICATION OF DISTRICTS.

* 81. **Pandit Bhagwat Narayan Bhargava** : To which class does each of the said districts belong ?

The Hon'ble Sir Sam O'Donnell : Agra, Meerut, Benares first ; Jhansi second ; Bauda third ; Hamirpur and Jalaun fourth.

Mr. C. Y. Chintamani : What is the signification of the classification of the districts and on what principle is the classification made ?

The Hon'ble Sir Sam. O'Donnell : I think the basis is the amount of work and I think the present classification is based on the report of the Pike Committee.

* 82. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 83 to *86. **Haji Abdul Qayum :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EXPENDITURE OF CAWNPORE MUNICIPAL BOARD.

*87. **Haji Abdul Qayum :** Is the Government aware that the Cawnpore Municipal Board's expenditure has increased by over a thousand rupees per mensem under "collections" alone and by over a lakh per annum under all heads since the year 1923-24 when Sir Ivo Elliott's report was sent to that municipality ?

The Hon'ble Nawab Muhammad Yusuf : The reply is in the affirmative.

IRREGULARITIES BY THE CHAIRMAN OF CAWNPORE MUNICIPALITY.

* 88. **Haji Abdul Qayum :** Is it a fact that Munshi Hazir Ali, a member of the Cawnpore municipal board, brought to the notice of the Government by a letter, dated February 5, 1927, several deliberate irregularities committed by the chairman of that municipality ? If so, what action does the Government propose to take ?

The Hon'ble Nawab Muhammad Yusuf : Yes. Munshi Hazir Ali was informed that Government were not prepared to interfere in the internal affairs of the board.

INCOME FIXED BY GOVERNMENT TO BE SPENT BY MUNICIPALITIES.

* 89. **Haji Abdul Qayum :** (a) Has any percentage of income been fixed by Government to be spent by the municipalities for expenditure on lighting, water-supply, education, public works, public health, road watering, general administration and collection ? (b) If not, do Government intend to do so ?

The Hon'ble Nawab Muhammad Yusuf : (a) No, except in the case of education for which the minimum expenditure has been fixed under section 7 (2) of the Municipalities Act.

(b) No. It is not possible to fix a percentage so as to suit the requirements of every board at all times.

REALIZATION OF ZAR-I-SULSA.

* 90. **Khan Bahadur Shaikh Zia-ul-Haq :** (a) Will the Government be pleased to state what kind of demand is *zar-i-sulsa* which is realized from revenue-free lands (*muafi* land) and whether the khewatdar is liable to pay it or the muafidar ?

(b) Is it classed under canal dues ? If so, why is it realized a second time under this name ?

The Hon'ble Sir Sam O'Donnell: (a) *Zir-i-sulsa* (or one-third money) is owner's rate, which is calculated at one-third of the current occupier's rate and is realizable from the owner of an irrigated land as distinct from the occupier under section 37 of the Northern India Canal and Drainage Act, No. VIII of 1873, and rules Nos. 33 to 35 under section 75 of that Act.

(b) It is a canal due representing Government's share in the increased profit of the owner of the land irrigated by a canal.

*91 and *92. **Pandit Govind Ballabh Pant:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

*93 to *99. **Maulvi Zahur-ud-din:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

DEPUTATION OF INSPECTOR-GENERAL OF REGISTRATION.

*100. **Maulvi Zahur-ud-din:** How long has the present Inspector-General of Registration been on deputation?

The Hon'ble Nawab Muhammad Yusuf: Since January 8, 1922.

*101. **Maulvi Zahur-ud-din:** How long more is he to remain on deputation on the above post?

The Hon'ble Nawab Muhammad Yusuf: There is no proposal to revert him in the near future.

*102 to *105. **Maulvi Zahur-ud-din:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

INCOME OF THE REGISTRATION DEPARTMENT FROM UJRAT.

*106. **Maulvi Zahur-ud-din:** What is the total income of the Registration department from *ujrat* (copying charges)?

The Hon'ble Nawab Muhammad Yusuf: The income of the department from copying fees is classified under the following two sub-heads:—

(a) charges for certified copies of registration records issued by registering officers,

(b) fees charged for copying a deed into the register at the time a deed is registered.

The income under sub-head (a) during 1926 was Rs. 75,044. Separate figures for sub-head (b) are not available.

*107. **Maulvi Zahur-ud-din:** What is the total expenditure on the pay of the clerks doing copying work?

The Hon'ble Nawab Muhammad Yusuf: There is no separate staff for copying work, which is done by the clerks attached to the registration offices in addition to their other duties. The total provision for expenditure on the clerical establishment for sub-registrars' offices during 1927-28 is Rs. 1,29,340.

*108. **Maulvi Zahur-ud-din:** When was the pay of the clerks raised last time?

The Hon'ble Nawab Muhammad Yusuf: In January, 1920.

* 109. **Maulvi Zahur-ud-din** : What was the total income from copying charges then ?

The Hon'ble Nawab Muhammad Yusuf : The income under sub-head (a) mentioned above was Rs. 72,539. Figures for sub-head (b) are not available.

RAISING THE PAY OF CLERKS OF REGISTRATION DEPARTMENT.

* 110. **Maulvi Zahur-ud-din** : (a) Has the Government any scheme ready for raising the pay of clerks ? (b) If so, when will it come into operation ?

The Hon'ble Nawab Muhammad Yusuf : (a) No.

(b) Does not arise.

* 111. **Maulvi Zahur-ud-din** : If not, is it the intention of the Government to raise the pay of the clerks ?

The Hon'ble Nawab Muhammad Yusuf : There is no such intention at present.

* 112 to * 117. **Babu Bhagwati Sahai Bedar** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

STOCK OF LIQUOR AND WINE IN THE ROSA DISTILLERY, SHAHJAHANPUR.

* 118. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to lay on the table a statement showing the stock (in gallons) of each kind and class of liquor and wine on the first day of the year 1920, in the Rosa Distillery, Shahjahanpur, as also the number of gallons distilled and sold each year up to the present year, and the up-to-date stock (in gallons) of each class of liquor and wine ?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : A statement is laid on the table of the honourable member.

(See Appendix D, page 737.)

CANCELLATION OF LICENCES OF EXCISE SHOPS.

* 119. **Babu Bhagwati Sahai Bedar** : Is it a fact that the district magistrates are authorized to give finality to their decisions in cancelling a licence of excise shops under rule 94 (c) (11G) of the Excise Manual, without getting their decision approved by the Licensing Boards which grant these licences ? If so, under what law are they authorized to do so ? Has the attention of the Government been drawn to sections 34 and 35 of the Excise Act, and the amended rule 87 of the Excise Manual ?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : Yes. Excise Act. Yes.

Babu Bhagwati Sahai Bedar : Is the Government aware that rule 87 of the Excise Manual clearly lays down that the licensing board is the only authority that can cancel a licence ?

The Hon'ble Rai Rajeshwar Bali : I must confess I am not aware.

Babu Bhagwati Sahai Bedar : Is the Government aware that rule 94 (c) (11G) only empowers the district magistrate to make a temporary cancellation and to get his decision sanctioned by the licensing board ?

The Hon'ble the President : The honourable member is arguing with the Minister who is absent.

TRANSFER OF A PORTION OF THE MEERUT-MORADABAD-BAREILLY ROAD TO RAMPUR STATE FOR MAINTENANCE.

***120. Babu Bhagwati Sahai Bedar :** Does the Government contemplate making over a portion of the road to the Rampur State from the newly constructed Meerut-Moradabad-Bareilly road for maintenance? If so, (a) what are the conditions of transfer, and (b) what was the amount spent by the Government and amount paid by the State when the road was metalled for the first time?

The Hon'ble Nawab Muhammad Yusuf : The Government have transferred to the Rampur Darbar for purposes of maintenance that portion which passes through Rampur State in accordance with the agreement under which the road was re-metalled. The road was originally constructed in 1864, but was abandoned in 1883, with the advent of the railway and as the records have been destroyed the amount spent by Government and the State cannot be given.

(a) The question of re-metalling was first taken up in 1908 with the advent of motor traffic but work was not completed till 1926 owing to the war and financial stringency.

(b) The length of road in Rampur State is 18 miles.

(c) The cost of re-metalling was 6½ lakhs and the whole cost was met by this Government.

***121. Babu Bhagwati Sahai Bedar :** Did the Government pay anything to the State as compensation? If so, what was the amount?

The Hon'ble Nawab Muhammad Yusuf : No. The second part of the question therefore does not arise.

***122. Babu Bhagwati Sahai Bedar :** Will the Government consider the advisability of not making over the road to the Rampur State but charge for its repairs and maintenance annually?

The Hon'ble Nawab Muhammad Yusuf : Government consider the arrangement which they have made more suitable than that proposed by the honourable member.

APPOINTMENT OF L. T. STUDENTS IN GOVERNMENT SERVICE.

***123. Babu Bhagwati Sahai Bedar :** Will the Government be pleased to lay on the table a statement showing the following :—

(a) number of successful students in the L. T. examination, with divisions of merits in each case in each year, during the last five years ;

(b) number of students with merits referred to in (a), taken in Government service during the last five years from the successful students of each year?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix E, page 738.)

* 124. **Babu Bhagwati Sahai Bedar** : Is it a fact that newly-successful L. T. students, with comparatively lower merits, have been given appointments, while old qualified students with better merits have not yet been appointed? If so, will the Government be pleased to give reasons and consider the advisability of making a departure from such practice?

The Hon'ble Rai Rajeshwar Bali : Appointments are made on grounds of merit as shown in the results of the L. T. examination; the students' college record, their qualifications for teaching the special subjects for which teachers are required, and their age. Usually in any one year there are a sufficient number of well qualified candidates for the vacancies of that year; but graduates of previous years are not excluded. The present method of recruitment best meets the needs of the schools.

EXTENSION OF THE GOVERNMENT HIGH SCHOOL BOARDING-HOUSE, SHAHJAHANPUR.

* 125. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state the amount that has been sanctioned for the extension of the building of the Government high school boarding-house at Shahjahanpur?

The Hon'ble Rai Rajeshwar Bali : The final project has not yet been sanctioned.

* 126. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state when the extension of the boarding-house building at Shahjahanpur is likely to be taken in hand and completed?

The Hon'ble Rai Rajeshwar Bali : Government hope that if funds are available the project will be taken in hand and completed in 1929-30.

Babu Bhagwati Sahai Bedar : Is the Government aware that there is urgent need for the construction of the Shahjahanpur boarding-house?

The Hon'ble Rai Rajeshwar Bali : Yes.

MUNSHI'S AND KAMIL EXAMINATIONS.

* 127. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state the number of "munshi's" and "kamil" examinations hitherto held in the universities of these provinces?

The Hon'ble Rai Rajeshwar Bali : None.

* 128. **Babu Bhagwati Sahai Bedar** : Will the Government be further pleased to state—

- (a) the dates when these examinations were held;
- (b) the number of students that appeared at each examination, stating in each case the number of Hindus and Muslims separately;
- (c) the number of successful students at each examination, stating the number of Hindus and Muslims separately?

The Hon'ble Rai Rajeshwar Bali : Does not arise.

URDU TEACHERS.

* 129. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state—

- (a) the qualifications for the appointments of Urdu teachers for the teaching of S. L. C. and intermediate classes;
- (b) the total number of Urdu teachers in government schools and intermediate colleges separately stating the number of Hindus and Muslims;
- (c) total number of teachers referred to in (b) who have passed their qualification examinations—
 - (i) from the universities of this province,
 - (ii) from the universities of other provinces?

The Hon'ble Rai Rajeshwar Bali : A statement is laid on the table of the honourable member.

(See Appendix F, page 739.)

* 130. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to lay on the table a statement showing the names of Urdu teachers retiring from service during the present year?

The Hon'ble Rai Rajeshwar Bali : There are none.

KABUL INTERNEES.

* 131. **Babu Bhagwati Sahai Bedar** : (a) Will the Government be pleased to lay a list of Kabul internees in these provinces on the table?

(b) Under whose orders are they interned—this Government or the Government of India?

(c) Do they draw allowances from the provincial funds?

The Hon'ble Sir Sam O'Donnell : Government are unable to give the information which the honourable member requires, as it is confidential.

Babu Bhagwati Sahai Bedar : Is it so very confidential that not even so much could be said whether they are under the provincial Government or the Government of India?

The Hon'ble Sir Sam O'Donnell : I cannot give any information on the point.

* 132 and *133. **Babu Bhagwati Sahai Bedar** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

LENSES MANUFACTURING SHOP AT AGRA.

* 134. **Babu Bhagwati Sahai Bedar** : Is it a fact that the Inspector-General of Civil Hospitals, United Provinces, and the Principal of the Medical School, Agra, visited the lenses manufacturing shop of Mr. Bisheshwar Nath Baijal at Agra? If so, were these officers satisfied with the process and making of accurate lenses?

The Hon'ble Rai Rajeshwar Bali (for the *Hon'ble Thakur Rajendra Singh*) : Government have no information.

* 135. **Babu Bhagwati Sahai Bedar** : Did the proprietor of the firm approach the Government for help and support to this Indian industry? If so, does the Government in end to encourage this industry by granting support and recognition?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : Government have received no application.

AGRICULTURAL DEMONSTRATION FARMS.

* 136. **Babu Bhagwati Sahai Bedar** : Is it a fact that the Government encourages individuals who start agricultural demonstrative farms with money? If so, on what conditions?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : Yes. The conditions are (i) that the Agricultural department has need of facilities for seed production and demonstration in the locality in which the farm is situated, and (ii) that the owner of the farm is able to provide these facilities and is willing to carry out the work under the supervision of the staff. Grants are never given without proper safeguards that definite and useful work will be carried out.

* 137. **Babu Bhagwati Sahai Bedar** : Has the Government hitherto made any such grant in the district of Moradabad? If so, will the Government kindly lay on the table a list of such persons, stating the amount given in each case?

The Hon'ble Rai Rajeshwar Bali (*for the Hon'ble Thakur Rajendra Singh*) : Yes. The required list is laid on the table of the honourable member.

(See Appendix G, page 739.)

GRANT FOR TEACHING OF BIOCHEMISTRY.

* 138. **Babu Bhagwati Sahai Bedar** : Is the Government aware that the Madras Government granted a large sum of money in December, 1922, for the teaching of Biochemistry in the Madras medical college? If so, does the Government contemplate taking similar action in this direction?

The Hon'ble Rai Rajeshwar Bali : Government have no information.

Babu Bhagwati Sahai Bedar : Will the Government kindly inquire?

The Hon'ble Rai Rajeshwar Bali : I do not think any useful purpose will be served.

Babu Bhagwati Sahai Bedar : Does the Government not agree with the principle?

The Hon'ble the President : That is asking for an opinion.

Babu Bhagwati Sahai Bedar : The Minister has to give his opinion, Sir.

The Hon'ble the President : Not his opinion, but at question time he has to give information on facts.

* 139 and *140. **Babu Bhagwati Sahai Bedar** : [Postponed at the request of Government till the first day of the next meeting of the Council.]

* 141 and *142. **Mirza Muhammad Sajjad Ali Khan** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 143. **Babu Uma Shankar** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PETITION-WRITERS.

* 144. **Babu Uma Shankar** : (a) Will the Government be pleased to say since when the petition-writers have to pay a tax ?

(b) Will the Government be pleased to say what amount the petition-writers have to pay towards the tax ?

(c) Will the Government be pleased to say if the Government has provided any shed or building for these petition-writers ?

(d) Is it a fact that during the summer and rains, the petition-writers are put to great inconvenience on account of there being no covered sitting place for them ?

(e) Will the Government be pleased to say if the Government propose to provide suitable places or buildings for the petition-writers ? If not, why not ?

(f) Is the Government aware that after the passing of Act III of 1926, the work of the petition-writers has very much decreased ?

(g) Will the Government be pleased to consider the advisability of remitting or at least reducing the said tax ? If not, why not ?

The Hon'ble Sir Sam O'Donnell : (a) Since April 1, 1923.

(b) Rupees 5 per quarter.

(c), (d) and (e) The honourable member is referred to the answers given to starred question No. 49 and its supplementaries on January 20, 1926.

(f) Government have no information.

(g) Government do not consider that a fee of Re. 1-10-8 per mensem can prove burdensome to persons earning as much as a petition-writer, and do not, therefore, propose to reopen the question.

Copy of starred question No. 49 and Supplementaries with the answers given thereto on January 20, 1926.

QUESTION.

* Is it also a fact that each of them (petition-writers in the Shahjahanpur court compound) has to pay Rs. 20 annually ? Is it a fact that pleaders, mukhtars and revenue agents have to pay at the time of their annual renewal of the authority to practise Rs 20 ?

ANSWER.

* (a) Yes.

(b) No. The honourable member will find the scale of fees for pleaders, mukhtars, and revenue agents in the second schedule of the Legal Practitioners Act, 1879.

Babu Bhagwati Sahai Bedar : Under what law is this fee charged from the petition-writers ?

The Hon'ble Sir Sam O'Donnell : The justification for the charge is that they are occupying land which is in the ownership of Government.

Babu Bhagwati Sahai Bedar : Are they provided with any shed to work in during summer and winter ?

The Hon'ble Sir Sam O'Donnell : Well, if they do not wish to go to the compound to carry on the profession of a petition-writer, they need not do so.

Babu Bhagwati Sahai Bedar : Can they carry on their profession outside the compound without any restriction ?

The Hon'ble Sir Sam O'Donnell : Yes.

Thakur Shiva Narayan Singh : Are any fees levied from the petition-writers who carry on the work in their homes ?

The Hon'ble Sir Sam O'Donnell : No fees are levied from people who write petitions in their own homes.

Babu Bhagwati Sahai Bedar : Are the fees charged from revenue agents and others the same as is charged from petition-writers ?

The Hon'ble Sir Sam O'Donnell : No, I think the honourable member will find that information if he will turn to the second schedule of the Legal Practitioners Act.

Pandit Jhanni Lal Pande : Will a petition written outside the compound of the court be accepted in court ?

The Hon'ble Sir Sam O'Donnell : Yes, certainly.

RECOMMENDATION OF THE LEE COMMISSION.

* 145. **Babu Rama Charana :** (a) Will the Government be pleased to state whether it has given effect to the recommendation of the Lee Commission that 20 per cent. of the recruits for the Indian Civil Service posts should be obtained from the Provincial Civil Service ?

(b) If so, what principle has the Government adopted in obtaining such recruits from the Judicial and the Executive branches of the United Provinces Provincial services respectively ?

The Hon'ble Sir Sam O'Donnell : (a) The honourable member is referred to the answer given to Mr. Chintamani's question No. 90 of October 31, 1927.

(b) The honourable member is referred to the answers given to starred questions Nos. 9 and 18 asked by Khan Bahadur Hafiz Hidayat Husain Sahib on January 24, 1927.

Copy of starred question No. 90 asked by Mr. G. Y. CHINTAMANI and the answer given thereto on October 31, 1927.

QUESTION.

* (a) Has Government's attention been drawn to paragraphs 35 (pages 18 and 19) 36 (page 19) (xiii) in summary of recommendations (page 65) and 108 (page 62) of the report of the Lee Commission, affecting the United Provinces Civil service ?

(b) Is it a fact that these recommendations have not been carried into effect in the letter or in spirit ?

(c) Do Government intend to give full effect to them and when ?

(d) If not, why not ?

ANSWER.

* (a) Yes.

(b) No.

(c) Effect is being given to these recommendations.

(d) Does not arise.

QUESTIONS.

Copy of starred questions Nos. 9 and 18 asked by KHAN BAHADUR HAFIZ Hidayat HUSAIN SAHIB and the answers given thereto on January 24, 1927.

* 9. How many judgeships have been listed as open to the Provincial service officers in consequence of the acceptance of the Lee Commission report? Do Government contemplate recruitment from the Bar to fill any of these posts?

* 18. Have the Government made any allotments so far in the judicial and executive services of the twenty listed posts assigned to these provinces as a result of the acceptance of the Lee Commission report?

How many out of these have gone or are meant to go to the judicial line and how many to the executive line? How many out of these listed posts have already been filled up?

ANSWERS.

* 9. As eight of the 3 I. C. S. posts had already been listed before the Lee Commission sat, no further judicial posts have been listed. The additions since made have been on the executive side. Two of the judicial posts are open to members of the Bar. There is no present intention of appointing another practising lawyer.

* 18. No. Twenty per cent. and not twenty of the superior I. C. S. posts are eventually to be listed. It is, however, recognized that the judicial service already has more than twenty per cent. of the superior judicial posts, and the additions so far made have been made on the executive side. Two such posts were listed last year, and proposals for a third are under consideration.

RECOMMENDATIONS OF THE ISLINGTON COMMISSION.

* 146. **Babu Rama Charana:** In making the apportionment between the two branches has the Government followed the recommendations of the Islington Commission contained in paragraph 16 of the Summary of Recommendations at page 197, chapter XVII, volume I, to the effect that out of the Indian Civil Service posts recommended to be filled up by members of the Provincial services 15 out of 41 or 36 per cent. should go to the Executive branch and 26 out of 41 to the Judicial branch?

The Hon'ble Sir Sam O'Donnell: No.

EXTENSION OF TELEPHONE SERVICE TO ALMORA.

* 147. **Pandit Badri Dutt Pande:** When is the telephone service likely to be extended to Almora from Ranikhet?

The Hon'ble Sir Sam O'Donnell: The Government hope that it may be possible, if funds are available, to construct the line in 1928-29.

CONFINEMENT OF BENGAL DETENUS IN THE UNITED PROVINCES

JAILS.

* 148. **Pandit Badri Dutt Pande:** How many untried political prisoners of Bengal are confined in the United Provinces jails?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Three.

* 149. **Pandit Badri Dutt Pande:** How many of them are detained under Regulation III of 1818 and how many under the Bengal Criminal Law (Amendment) Act?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: All three are detained under the Bengal Criminal Law (Amendment) Act.

* 150. **Pandit Badri Dutt Pande:** Will the Government be pleased to give the names of the jails in which they are confined and the state of their health?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government do not consider it desirable to give the names of the jails in which these prisoners are confined. The health of all three is good.

* 151. **Pandit Badri Dutt Pande**: Who is responsible for the health and comfort of these untried detenus—the Government of India, the United Provinces Government or the Bengal Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Government do not understand what the honourable member means by his question.

* 152. **Pandit Badri Dutt Pande**: (a) Have any of them complained to the Government that the climate of the United Provinces does not agree with them?

(b) If so, will the Government consider the desirability of asking the Government of India or the Bengal Government to take these detenus back from this province?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes.

(b) The petitions received from the detenus were forwarded to the Government of Bengal for disposal.

* 153. **Pandit Badri Dutt Pande**: Are any of the detenus confined in cells?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

* 154. **Pandit Badri Dutt Pande**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 155. **Pandit Badri Dutt Pande**: Have any special visitors been appointed by Government to visit these detenus?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No. The matter is under consideration.

Thakur Manjit Singh Rathor: Will the Government kindly state how long have these Bengal Ordinance prisoners been in the United Provinces jails?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We cannot give any information.

Thakur Manjit Singh Rathor: Will the Government kindly represent to the Government of Bengal to bring these prisoners to trial.

The Hon'ble the President: That is a suggestion for taking definite action.

Pandit Badri Dutt Pande: What control does this Government exercise over these detenus?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We are acting under instructions from the Government of Bengal.

Pandit Govind Ballabh Pant: Will the Government be pleased to state how this question No. 151 is unintelligible to them? Which word is it which they are unable to understand?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: We could not follow what the honourable member means. The position is this: As far as the responsibility for looking after their health is concerned we are responsible. As far as the responsibility for shifting them from one place to another is concerned, we cannot do that unless we are asked to do so by the Government of Bengal or the Government of India.

Thakur Manjit Singh Rathor: Are these untried prisoners given facilities which are given to undertrial prisoners in jails?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I think they are getting all these facilities and even more.

Babu Bhagwati Sahai Bedar: Are the jail rules of Bengal Presidency and of these provinces identical?

The Hon'ble the President: The honourable member can refer to the books in the library.

Pandit Govind Ballabh Pant: Is it the duty of this Government to look after the comforts and health of these prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes.

Thakur Manjit Singh Rathore: Are these prisoners given special treatment which is accorded to special division prisoners?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes, probably better.

Pandit Govind Ballabh Pant: Are this Government not responsible for the health of these detenus when they are in these provinces.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: When they are in these provinces this Government are responsible.

Babu Bhagwati Sahai Bedar: Are they given the same diet as provided in the Jail Manual of Bengal?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: No.

RESIDENTS OF BENGAL SERVING UNDER THE UNITED PROVINCES GOVERNMENT.

* 156. **Pandit Badri Dutt Pande:** Will the Government be pleased to lay on the table a statement showing the names and qualifications of residents of Bengal employed in various departments under the United Provinces Government since 1920?

The Hon'ble Sir Sam O'Donnell: Government regret that they are unable to supply the information, as its collection will involve an amount of labour which will be disproportionate to its value.

* 157 to * 160. **Thakur Shiva Shankar Singh:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

INVESTIGATION OF THE MANUFACTURE OF FORGED NOTES.

* 161. **Thakur Shiva Shankar Singh:** Will the Government be pleased to state the activities of the Criminal Investigation department in connexion with the inquiries regarding the manufacture of forged notes in these provinces during the last two years?

* 162. **Thakur Shiva Shankar Singh**: How many cases were detected and (a) when, (b) where and (c) with what result?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The honourable member is referred to paragraphs 21 and 36 of the Police Annual Administration Reports for the years 1925 and 1926.

* 163. **Thakur Shiva Shankar Singh**: Was there any such inquiry made in the district of Aligarh last year? If so, what was the result?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The Criminal Investigation department have not undertaken any inquiries in connexion with note forgery in the Aligarh district since January 1, 1926.

TENURE OF GOVERNMENT ESTATES IN KOTDIWARA-BHABAR.

* 164. **Mr. Mukandi Lal**: (a) Is the Government aware of the fact that on February 28, 1925 the Hon'ble the Finance Member during the debate on settlement of Government estates in reply to my criticism of the tenure of Government tenants in Kotdiwar-Bhabar said: "We propose to give every tenant who has occupied land for three years fixity of tenure." And in reply to the question put during the Hon'ble the Finance Member's speech by Pandit Govind Ballabh Pant he was pleased to say "The question of transfer we shall have to consider . . . we are in any case going very much further than we have gone in any other part of the province."

(b) How far has the Government gone in the case of the Kotdiwar-Bhabar kham estate in conferring (i) fixity of tenure, (ii) heritable right and (iii) rights of transfer?

The Hon'ble Sir Sam O'Donnell: The Agra Tenancy Act of 1926 has conferred on these tenants fixity of tenure and heritable rights. Government have never promised to make these rights transferable and do not intend to do so.

Pandit Govind Ballabh Pant: Will the Government be in any way put to any loss if they give this right of transfer?

The Hon'ble the President: This is arguing the matter.

Pandit Govind Ballabh Pant: Is it a fact that if transferable rights were conferred then the tenants could be induced to settle in these estates?

The Hon'ble Sir Sam O'Donnell: No, I do not think that it will have any effect of that character. The general objection to conferring such rights is that if they are allowed the right of transfer, the result is that the tenant gets into debt, so nowhere are occupancy rights allowed to be transferable.

Pandit Govind Ballabh Pant: Would that objection apply in the case of transfers in favour of other cultivating tenants?

The Hon'ble Sir Sam O'Donnell: It is very dangerous to make any breach of the general rule because sometimes you know well-to-do cultivators do the business of money-lenders. In the west of the province for example there are a good many well-to-do cultivators who lend money to others on mortgages and gradually the holding goes into the hands of these money-lenders.

SURVEY IN GARHWAL.

* 165. **Mr. Mukandi Lal**: Is it a fact that the Government has not undertaken survey in Garhwal except of a few pattis of Barhsyun, in Garhwal district?

The Hon'ble Sir Sam O'Donnell: Yes.

* 163. **Mr. Mukandi Lal**: (i) Is it a fact that no survey has been done in Garhwal except over a small area (Barhsyun) yet? (ii) Is it true that the Government has decided to increase revenue by 33 per cent. in the whole area?

The Hon'ble Sir Sam O'Donnell: (i) Yes.

(ii) The honourable member is referred to the rules for the guidance of the Settlement Officer of Garhwal published in the Gazette under Government notification no. 1095/I-A-43 [Revenue (A) department], dated March 12, 1927.

* 167. **Mr. Mukandi Lal**: What is the exact percentage of contemplated increment?

The Hon'ble Sir Sam O'Donnell: No exact percentage is contemplated.

* 168. **Mr. Mukandi Lal**: Does it vary according to local conditions and other circumstances of the villagers assessed?

The Hon'ble Sir Sam O'Donnell: Yes.

* 169. **Mr. Mukandi Lal**: Is it a fact that in preparing new revenue records land is being recorded in the name of one principal shareholder alone and the *shikmis* whose names appeared on revenue (*muntakhibs* and *phants*) of the last settlement, are not being recorded in the new settlement records?

The Hon'ble Sir Sam O'Donnell: The honourable member is referred to the answer given to starred question No. 162 on November 2, 1927.

Copy of starred question No. 162 and the answer given thereto on November 2, 1927.

QUESTION.

* Is it the intention of the Government to issue instructions to the Settlement Officer of Garhwal to the effect that he should give in the revenue records (*phants* and *muntakhibs*) the names of all co-sharers, e.g., *shikmis* with the *hissedars* and *khaikars* as was done at the time of the last settlement and assist the individual co-sharers?

ANSWER.

* New records are not being prepared in Garhwal except in pargana Barhsyun. In pargana Barhsyun the *shikmi* lists have been prepared exactly in the same manner as at the previous settlement. In other parganas the old *muntakhib* will remain as a historical record and the *phant*, so far as the names of co-sharers are concerned, will be an exact copy of the previous *phant* amended by the mutations which these sharers have got recorded.

* 170 to * 186. **Pandit Nanak Chand**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

NEW RULES UNDER THE CRIMINAL TRIBES ACT.

* 187. **Pandit Nanak Chand**: (a) Has the Government framed any new rules under section 10 of the Criminal Tribes Act? If so, will the Government be pleased to lay a copy on the table?

(b) Is it a fact that one of the new rules requires every registered member to report hims lf to the chaukidar every four hours during night time? If so, has the Government considered the practical difficulties, e.g., sleep, watching of crops, the distance from the residence of chaukidar and of the observance of time?

(c) Do Government intend to reconsider the said rule and amend the same?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Yes. The rules were published in the *United Provinces Government Gazette* under Police department notification no. 6555/VIII—311, dated September 23, 1926.

(b) The answer to the first part is in the negative. The second part does not arise.

(c) Does not arise.

* 188 to * 190 **Pandit Nanak Chand:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PURCHASE OF A REVOLVER FROM THE MALKHANA BY A DEPUTY COLLECTOR, BULANDSHAHR.

* 190A. **Pandit Nanak Chand:** (a) Is it a fact that Mr. Nisar Haider, Zaidi, Deputy Collector, Bulandshahr, purchased a revolver with a mother-of-pearl handle from the malkhana for Rs. 10 in August, 1927?

(b) Did any correspondence pass between the officer-in-charge, nazarat, the district magistrate and the nazir on this question? If so, will the Government be pleased to lay the same on the table? If not, why?

The Hon'ble Sir Sam O'Donnell: (a) and (b) Government have no information.

Babu Bhagwati Sahai Bedar: Will the Government make any attempt to get the information?

The Hon'ble Sir Sam O'Donnell: No, I do not see the necessity of doing so.

Babu Bhagwati Sahai Bedar: Will the Government be pleased to state if a revolver could be purchased for Rs. 10.

The Hon'ble Sir Sam O'Donnell: I do not know that it has been purchased or anything about it.

Pandit Nanak Chand: Will the Government inquire into the matter.

The Hon'ble Sir Sam O'Donnell: I see no necessity to do so. It is entirely a matter for the Collector.

PLACING AN INDIAN CIVIL SERVICE OFFICER UNDER A DEPUTY COLLECTOR.

* 191. **Pandit Nanak Chand:** (a) Has any I. C. S. officer ever, and in any district, been placed under a deputy collector in subordinate charge of combined collectorate office? If so, when and where?

(b) Is it a fact that Mr. Wanchoo, I.C.S., was placed in subordinate charge of the combined office at Bulandshahr under Mr. Nisar Haider Zaidi, Deputy Collector?

(c) Were any protests made by Mr. Wanchoo against this arrangement and its working? If so, to what effect? And how were they disposed of?

The Hon'ble Sir Sam O'Donnell: (a) and (b) Government have no information.

(c) Government have received no protests.

Pandit Nanak Chand: Did the Government take any steps to ascertain this and failed to do so?

The Hon'ble Sir Sam O'Donnell: No, why should they?

Pandit Bhagwat Narayan Bhargava: Is it the practice of the Government to place an I. C. S. officer under a deputy collector?

The Hon'ble Sir Sam O'Donnell: I really do not know whether that is done or not. I remember being myself in charge of a Treasury of which the deputy collector was actually considered to be in charge and I was working under his supervision.

Lala Nemi Saran: Can this information not be gathered from the Civil List?

The Hon'ble Sir Sam O'Donnell: I do not know, but the honourable member can verify that himself.

Pandit Govind Ballabh Pant: Does not clause (b) of this question No. 191 raise a specific question which could very easily be answered by the Government if they had cared to make an inquiry from Mr. Wanchoo or the Collector of Bulandshahr?

The Hon'ble Sir Sam O'Donnell: No doubt it could have been, but there was no point in making the inquiry.

*192 to *209. **Pandit Nanak Chand:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PETITION OF THE ARYA SAMAJISTS OF BAREILLY FOR SANCTION
TO PROSECUTE THE KOTWAL.

*210. **Pandit Nanak Chand:** (a) Will the Government be pleased to lay on the table a copy of the petition of the Arya Samajists of Bareilly for sanction to prosecute the Kotwal for the alleged desecration of the Arya Samaj temple?

(b) Has the said application been rejected? If so, why?

The Hon'ble Sir Sam O'Donnell: (a) The answer is in the negative.

(b) Yes, because Government were satisfied that there were no sufficient *prima facie* grounds for believing that the Kotwal of Bareilly had committed the offences which were alleged against him.

Pandit Nanak Chand: Will the Government be pleased to state why they are not prepared to place a copy of the application on the table?

The Hon'ble Sir Sam O'Donnell: Government considered it will serve no purpose to do so.

* 211. **Pandit Nanak Chand:** [*Disallowed.*]

INQUIRIES REGARDING CERTAIN BOOKS PUBLISHED BY MUSLIMS.

* 212. **Pandit Nanak Chand:** (a) With reference to starred questions Nos. 37 and 38, dated August 7, 1926, and the answer of the Hon'ble the Home Member to a supplementary question, will the Government be pleased to state when and what inquiries, if any, were made by the Government and through what agency regarding the following books printed and published by Muslims:—

- (1) Radd-i-Hindu.
- (2) Sita ka ehināla.
- (3) Qoran aur Ved ka muqabla.
- (4) Aryon ke liye chatpata Inqina alias Arya Samaj aur gosht-khori.
- (5) Vedon men garbar.

(b) When were the inquiries completed in each case?

(c) What are the reports of the officers who made the said inquiries? Will the Government be pleased to lay copies of the reports with the name of the officer concerned in each case on the table?

(d) When and what action, if any, have the Government taken or do they propose to take with regard to the said publications, their writers, printers and publishers? And why no action has been taken for a long time?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: (a) Inquiries were made through the Criminal Investigation Department in September, 1926.

(b) and (c) (i) The results were communicated to Government before the close of the year.

(ii) Government are unable to lay on the table copies of the reports.

(d) As regards the first pamphlet, there was nothing to show that it was in circulation in these provinces. It was said to have been printed in Bombay. As regards pamphlet No. (2), it was also not in circulation at the time and copies were not available. Further inquiries are being made in regard to both these pamphlets. As regards pamphlets (3) to (5), Government were advised that they were not actionable, but the author of pamphlet No. (5) was warned, because its language was considered to be provocative.

Pandit Nanak Chand: Will the Hon'ble the Home Member be pleased to state the rank and nationality of the officers who made this inquiry with regard to question (a)?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: I shall require further notice as I do not know the nationality and rank of the officers who made the inquiry.

Pandit Nanak Chand: Will the Hon'ble the Home Member be pleased to say why he is unable to lay the report of these officers on the table?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The reports coming from the Criminal Investigation department are regarded as confidential and that is the reason why we cannot lay them on the table.

Pandit Iqbal Narayan Gurtu : Am I to understand that action is only taken with regard to the pamphlets that have a large circulation and none other ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think this does not arise out of this question.

Pandit Iqbal Narayan Gurtu : The answer given is "It was also in circulation at the time," i.e., they were in circulation at one time ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We said that copies were not available, that is why we could not give the information. We are getting them from somewhere else.

Pandit Nanak Chand : Is it to be understood that the Government are not prepared to proscribe these pamphlets even if they are not in circulation.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Unless we see them, how can we possibly proscribe them ?

Pandit Nanak Chand : If the pamphlets are supplied to the Hon'ble the Home Member, will he take action ?

The Hon'ble the President : That is a hypothetical question.

Babu Bhagwati Sahai Bedar : Where were these books published ?

The Hon'ble the President : The answer is there already.

Babu Bhagwati Sahai Bedar : Will the Government kindly get a copy of this pamphlet from the Bombay Government ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : We have said that we are making inquiries and we are trying to get them from somewhere else, from Bombay and other provinces.

Pandit Nanak Chand : When were these inquiries started ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Some time back ; I think it was in September, 1926.

Pandit Nanak Chand : And they have not yet been completed ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : So far they have not been completed.

Pandit Nanak Chand : With regard to pamphlets (2) to (5) are the Government prepared to state where they are published, whether they have not been published in this province ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The Government have stated that as regards these pamphlets there was nothing to show that they were published in this province. I do not know where they were published.

Khan Bahadur Maulvi Fasih-ud-din : Is it the practice of this Government to proscribe pamphlets before they are circulated ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: It is not the practice to proscribe pamphlets before they are circulated.

Pandit Bhagwat Narayan Bhargava: In view of the Government's answer in regard to (5) is it the intention of the Government to ask the author to revise the book?

The Hon'ble the President: The answer is there.

Lala Nemi Saran: Has any of these pamphlets been proscribed by the Government?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The answer is already given there.

MURDER OF HINDU PUBLIC WORKERS.

*213. **Pandit Nanak Chand:** (a) Will the Government be pleased to lay a statement on the table giving the names of Hindu public workers who have been murdered during this year and the following information about each such murder:—

- (1) Date, time and place of murder.
- (2) The earliest date and time when the news or information of or rumour, if any, about the contemplated murder was received by police or other district authorities.
- (3) The action, if any, taken to ensure the safety of the victims by the officials.
- (4) The culprits, if any, who have been apprehended and proceeded against.

(b) When and what steps, if any, has the Government adopted or do they propose to adopt to deal with this problem?

The Hon'ble Sir Sam O'Donnell: The honourable member presumably refers to the murder of Lala Balri Shah of Bahraich and of Rai Bahadur Babu Bahadur Singh of Pilibhit. If so, Government are unable to make a statement as the cases are *sub judice*.

ANNIVERSARY OF THE ARYA SAMAJ, NAINI TAL.

*214. **Pandit Devata Prasad:** (1) Will the Government be pleased to state the circumstances in which section 144, Criminal Procedure Code, was applied to the anniversary meeting of the Arya Samaj, Naini Tal, in June, 1927.

(2) What was this order? Was it promulgated after the anniversary was held on June 25 and 26, 1927. If so, why? Was it on the representation of some people or at the initiative of the deputy commissioner? If the former, what exactly was the representation made to the deputy commissioner and by whom?

(3) Is Government aware of the indignation caused by this order of the deputy commissioner?

The Hon'ble Sir Sam O'Donnell : (1) and (2) The Arya Samaj held its anniversary meetings at Naini Tal on June 25, 26 and 27, 1927. The Samaj was given permission to take a procession from Talli Tal round the lake up to Malli Tal on June 25, and on this occasion a number of public lectures were delivered. In these lectures, it is alleged that remarks provocative to Musalmans were made; and on the following day, June 26, a written protest against the tone of the lectures was received by the acting district magistrate from Khan Bahadur Maulvi Fasih-ud-din, M.L.C., and also from the president of the Anjuman Islamia, Naini Tal. The same evening there was another public meeting of the Arya Samaj at which Babu Kali Charan, author of the *Vichitra Jiwan*, made certain reference to Musalmans and the *Quran* which were challenged by Munshi Qudrat-ullah of Lucknow. These two speakers were about to commence an acrimonious discussion when the police intervened; and it was agreed to postpone the argument. On the following day, June 27, the acting magistrate on the report of the sub-inspector of police, endorsed by the circle inspector, issued notices under section 144, Criminal Procedure Code, to both Babu Kali Charan and Munshi Qudrat-ullah, but owing to some hitch occurring, the proposed discussion did not take place and the notices were not served. On the afternoon of June 27 another Arya Samaj meeting was to be held. The sub-inspector of Malli Tal and the circle inspector reported to the acting district magistrate that lectures were likely to be delivered at this meeting which might lead to a breach of the peace. The acting district magistrate accordingly issued an order under section 144, Criminal Procedure Code. A copy of this order is laid on the honourable member's table.

(3) In the evening there was a public meeting at which Babu Uma Shankar, M.L.C., presided, protesting against the acting district magistrate's order.

Lala Nemi Saran : Was any effort made by the police to serve them the next day?

The Hon'ble Sir Sam O'Donnell : The discussion did not take place. Another order was issued under section 144 as mentioned in the latter part of the answer.

(See Appendix H, page 740.)

ARMS LICENCES OF KUNWAR RAJENDRA BAHADUR SINGH AND RAJA SIR PRATAB BAHADUR SINGH.

*215. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) With reference to question No. 140 of June 25, 1927, is it a fact that the arms licences of Kunwar Rajendra Bahadur Singh were restored to him?

(b) If it is so, why was the same concession not shown to Raja Sri Pratap Bahadur Singh of Haraha?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) The Raja did not apply for a licence.

Rai Bahadur Lala Mathura Prasad Mehrotra : Is the Government prepared to grant any licence if he applies?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : If he will apply he will be given it.

*216. **Rai Bahadur Lala Mathura Prasad Mehrotra :** (a) Is it a fact that the mother of Raja Sri Pratap Bahadur Singh applied for a licence?

(b) If it is so, what orders were issued upon her application and why was it not granted?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) It was not considered advisable to issue a licence to the lady, which had not been renewed by her for 1927, and in which the Raja's name was entered as retainer. The application was therefore refused.

Rai Bahadur Lala Mathura Prasad Mehrotra : Had the lady any licence in her name previously?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : It showed that she had some licence.

Rai Bahadur Lala Mathura Prasad Mehrotra : Was it refused on the ground that it contained the name of Raja Sahib as a retainer?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware whether it was on this very ground or not, but she did apply to renew them and the district magistrate took objection to the fact that the Raja was the retainer.

Rai Bahadur Lala Mathura Prasad Mehrotra : What was the ground on which objection was taken?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am not aware.

Rai Bahadur Lala Mathura Prasad Mehrotra : What is the difference between renewing a licence and applying for a licence?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I believe the difference is that to apply is for the applicant and to renew or not to renew is for the magistrate.

Rai Bahadur Lala Mathura Prasad Mehrotra : Were any inquiries made from the district magistrate? If so, with what result?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am unable to tell the honourable member what was the result and what was the report of the deputy commissioner, but inquiries were made and we are now considering the matter.

Raja Jagannath Bakhsh Singh : May I hope that the Government will come to a decision in the matter before long?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes.

*217. **Rai Bahadur Lala Mathura Prasad Mehrotra :** With regard to the assurance given by the Hon'ble the Home Member for moving the Government of India to restore the powers of exemption to Raja Sri Pratap Bahadur Singh, will the Government be pleased to state the steps taken in the matter and, if not, what are the reasons for it?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : In replying to part (c) of question No. 140 of June 25, 1927, I said: "The Government of India have in the meantime withdrawn the Raja's exemption, but, if his conduct warrants it, they will be moved in due course to restore the privilege." Government have made inquiries, and the matter is still under consideration.

Copy of starred question No. 140 of June 25, 1927, and the answer given thereto.

QUESTION.

*(a) Will the Government be pleased to lay on the table the file concerning the is use of an order under section 144 of the Code of Criminal Procedure calling upon Raja Sri Pratap Bahadur Singh of Haraha to deposit certain arms of tahsil Ramsanehighat, district Bara Banki, and the extension of that order by the Government for a further period of two months from April 25, 1927?

(b) In case the reply to the above question is in the negative, will the Government be pleased to lay on the table any other papers concerning the facts and the inquiries made on the subject that justify the action of the district magistrate as well as of the Government as mentioned above?

(c) In case the reply to the above question is also in the negative, will the Government be pleased to state the reasons justifying the action of the district magistrate and of the Government in issuing and extending the said order?

ANSWER.

*(a) No.

(b) No.

(c) There has, for some time, been ill-feeling between the Raja of Haraha and his half-brother, Kunwar Rajendra Bahadur Singh, owing to the testamentary dispositions of their deceased father. A compromise was, with difficulty, effected in 1925, but there was no improvement in the relations between the two heirs who began to file applications in the revenue courts in defiance of the terms of the compromise. A few months ago there was an affray between the respective retainers, in which several persons were injured. The Deputy Commissioner of Bara Banki, with the assistance of Raja Prithwipal Singh, tried to bring the parties to terms again, but in vain, and at the end of February last the Deputy Commissioner found it necessary, to prevent a breach of the peace, to cancel the arms licences of the retainers and to suspend those of Raja Prithwipal Singh. As to the Raja's licences he directed him, by an order under section 144 of the Code of Criminal Procedure, to deposit his fire-arms for a period of two months. Raja Prithwipal Singh had already reported to the deputy commissioner that feeling between the parties was running very high and that unless drastic action were taken there was every reason to fear ruinous litigation culminating in riots and the use of fire-arms on both sides. Government subsequently extended the order under section 144 for a further period of two months, and moved the Government of India to withdraw the exemption of the Raja for the time being. The deputy commissioner has recently reported that the parties have again compromised, and the order under section 144 which expires to-day will not be further extended. The Government of India have in the meantime withdrawn the Raja's exemption, but, if his conduct warrants it, they will be moved in due course to restore the privilege.

COMMUNAL TENSION BETWEEN HINDUS AND MUSALMANS OF
LUCKNOW.

*218. Nawabzada Muhammad Liaqat Ali Khan: (a) Is the Government aware of the intense communal tension between the Hindus and Musalmans of Lucknow caused by the stoppage of the holding of *milad sharif* which the Musalmans had been doing in the Aminabad Park for the last fifteen years or more?

(b) Has there ever been any apprehension of the breach of peace by holding of *milad sharif* in Aminabad park in previous years?

The Hon'ble Sir Sam O'Donnell: (a) No.

(b) Government have no information.

Nawabzada Muhammad Liaqat Ali Khan: Is the Government aware that the Muslim members resigned from the municipality as a protest?

The Hon'ble Sir Sam O'Donnell: Yes. I have seen that statement in the papers?

Nawabzada Muhammad Liaqat Ali Khan : Does it not prove to the Government that there is intense communal tension between the two communities ?

The Hon'ble Sir Sam O'Donnell : It certainly indicates dissatisfaction on the part of the members concerned.

Khan Bahadur Hafiz Hidayat Husain : What has the Government done to allay the feelings ?

The Hon'ble Sir Sam O'Donnell : The Government has not done anything in the matter.

Babu Bhagwati Sahai Bedar : Does the Government propose to do anything ?

The Hon'ble Sir Sam O'Donnell : No.

Babu Bhagwati Sahai Bedar : Does Government propose to do anything ?

The Hon'ble Sir Sam O'Donnell : No.

*219 to *229. **Lala Nemi Saran :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

A BOOK ENTITLED "LIFE AND WORK IN BENARES AND KUMAUN."

*230. **Lala Nemi Saran :** With reference to my starred question No. 86 of December 21, 1925, will the Government be pleased to state if its attention has been drawn to a book "Life and Work in Benares and Kumaun, 1839—1877" by James Kennedy, M.A., with an introductory note by Sir William Muir, late Lieutenant-Governor, North-Western Provinces of India, published in 1884, and now available in the department of Indian History, University of Allahabad, which contains on page 246 the following :—

"I may end the account of Kumaun, its scenery, products, history and people, by mentioning two stipulations in the treaty with the Gurkhas when the British took possession of the land which are strikingly illustrative at once of British policy and of Hindu feeling. One stipulation was that certain sums should be paid annually to the priests of certain temples. A second stipulation was that the slaughter of bullocks and cows should be strictly prohibited. Not a vestige of power over the country was left to the Gurkhas, the entire rule was transferred to the British. But our authorities influenced at once by religious liberalism or indifference and by deference to Hindu feeling, accepted these conditions. The first stipulation caused no trouble, but the force of circumstances has led to the violation of the second."

*230A. **Lala Nemi Saran :** Will the Government be pleased to lay a copy of the aforesaid treaty on the table ?

The Hon'ble Sir Sam O'Donnell : 230. The answer is in negative.

The Hon'ble Sir Sam O'Donnell : 230A. Government have no reason to believe that such a treaty exists.

Lala Nemi Saran : Has the Government perused the book ?

The Hon'ble Sir Sam O'Donnell : No.

Lala Nemi Saran : May I know if the Government, after receiving notice of this question, has tried to find out whether the statement in the question is correct ?

The Hon'ble Sir Sam O'Donnell: No. We consulted our own records.

[Question time having expired, the remaining starred questions were not called.]

INQUIRY INTO ALLEGATIONS AGAINST HAYAT SINGH, SUB-INSPECTOR, AND CONSTABLES OF POLICE STATION SRINAGAR, DISTRICT GARHWAL.

***231. Lala Nemi Saran:** With reference to the reply to my starred question No. 89 of December 21, 1925, will the Government be pleased to state what has been the result of such an inquiry? What steps have the Government taken in the matter?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The complaints against the police were found to be baseless and the Government accordingly took no action in the matter.

RAMDOL PROCESSION IN NAGINA.

***232. Lala Nemi Saran:** (a) Is it fact that this year the Hindus of Nagina had to abandon *Ramdol* procession, which is a customary procession from time immemorial?

(b) Is it a fact that last year too there was a trouble over this procession, but the then district magistrate got the procession passed along the old routes?

(c) Is it a fact that this year the Hindus were prohibited by the district magistrate from adopting that route which was specifically allowed last year for their procession? If so, why did the authorities this year not allow the old route?

(d) Is it a fact that an order under section 144 was served on the Hindus of Nagina in connexion with this procession restricting the route and the playing of music before any mosque at prayer time?

(e) Is it a fact that the authorities did not give any opportunity to the two communities of Nagina to come to some agreement before the issue of notice under section 144 on the Hindus?

(f) Is it a fact that the Musalmans of Nagina made no representations to the authorities for the issue of such notice, or even for taking any action against any community in this connexion?

(g) On what information did the magistrate issue such a notice under section 144?

(h) Did the magistrate before issuing the notice convene any meeting of the representatives of the two communities to get this matter settled agreeably?

(i) On what date was this notice signed by the magistrate? When was it served on the Hindus? What was the date of taking out the *Ramdol* procession?

The Hon'ble Sir Sam O'Donnell: (a) The Hindus did not take out the *Ramdol* procession this year. The exact year when this procession was first taken out is not known, but in 1924 an *akhara* procession was introduced as an innovation.

(b) This new procession nearly caused a serious riot last year, and the district magistrate and the superintendent of police had to intervene. It was taken out on the following day, but without music, in accordance with an agreement reached by the unity board, which was binding for that year only.

(e), (d) and (c) This year the superintendent of police wrote to ask the secretary of the unity board whether an agreement in regard to this procession could be reached between the Hindus and Muslims. He was told that the board was unable to meet, because its chairman was involved in a criminal case. In the absence of an agreement between the leaders of the two communities, the *akbari* procession was prohibited under section 144, Criminal Procedure Code, as it was an innovation and had nearly culminated in a riot in 1926.

(f) No.

(g) The district magistrate issued the order after satisfying himself from the superintendent of police's report that there was likely to be a breach of the peace.

(h) No.

(i) (a) July 30, 1927.

(b) Shortly after.

(c) August 20, 1927.

PETITION FROM THE RESIDENTS OF BAREILLY FOR THE PROSECUTION
OF THE KOTWAL OF BAREILLY.

* 233. **Lala Nemi Saran :** (a) Will the Government be pleased to lay on the table a copy of the petition of some of the residents of Bareilly praying for the grant of sanction to prosecute the Kotwal of Bareilly in connexion with the riot cases of that city?

(b) Was the sanction refused? If so, why?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the answer to starred question No. 210 of to-day's date.

* 234 to *237. **Lala Nemi Saran :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

ESTABLISHMENT OF A SUBORDINATE AND SESSIONS JUDGE'S
COURT AT BIJNOR.

* 238. **Lala Nemi Saran :** (a) Does the Government intend to consider the advisability of establishing a subordinate and sessions judge's court permanently at Bijnor?

(b) Is such a proposal under consideration?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The honourable member is referred to the answer given to starred question No. 117 on March 12, 1926.

Copy of starred question No. 117 asked by LALA NEMI SARAN SAHIB and the answer given thereto on March 12, 1926.

QUESTION.

* (a) Is it a fact that one subordinate judge at Moradabad is entrusted with the Bijnor district work only?

(b) Has the Government ever examined the question of locating a sessions and subordinate judge's court at Bijnor? If so, with what results?

(c) If the reply to (b) be in the negative, is it the intention of the Government to consider the advisability of locating such a court at Bijnor?

ANSWER.

* (a) Yes.

(b) The High Court held an exhaustive inquiry into the question in 1924, in the course of which they made local inquiry and considered many petitions which were received both for and against the proposal. After full consideration they dropped the proposal.

(c) The question is primarily one for the decision of the High Court, and in view of the facts stated above Government do not propose to re-open the question.

INTRODUCTION OF COMPULSORY PRIMARY EDUCATION BY DISTRICT BOARDS.

* 239. **Lala Nemi Saran :** (a) Which district boards have applied to the Government for introducing compulsory primary education ?

(b) How has the Government dealt with their application ?

(c) Has the Bijnor municipal board applied for introducing compulsory primary education ? If so, has the Government sanctioned the scheme ?

The Hon'ble Rai Rajeshwar Bali : (a) The following district boards have submitted to the Education department schemes for the introduction of compulsory education :—

- | | |
|-------------------|------------------|
| (1) Meerut. | (11) Allahabad. |
| (2) Muttra. | (12) Mirzapur. |
| (3) Mainpuri. | (13) Gorakhpur. |
| (4) Etah. | (14) Lucknow. |
| (5) Bareilly. | (15) Unao. |
| (6) Bijnor. | (16) Sitapur. |
| (7) Budaun. | (17) Hardoi. |
| (8) Moradabad. | (18) Gonda. |
| (9) Shahjahanpur. | (19) Partabgarh. |
| (10) Cawnpore. | (20) Bara Banki. |

(b) The Education department are examining the schemes. The boards are being asked to submit formal applications in accordance with section 3(1) of the United Provinces District Boards Primary Education Act.

(c) No; the board has not yet submitted a formal application in accordance with the United Provinces Primary Education Act, 1919. The second part of the question does not arise.

* 240. **Khan Bahadur Mr. Masud-ul-Hasan :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

INEFFICIENCY OF THE HONORARY ASSISTANT COLLECTOR OF MUTTRA DISTRICT.

* 241. **Thakur Hukum Singh :** Is it a fact that the honorary assistant collector in Panigaon, tahsil Mat, district Muttra, knows neither Urdu nor English, nor can he write even one correct complete line of Hindi and does not know any law ?

The Hon'ble Sir Sam O'Donnell : The honourable member is referred to the answer given to starred question No. 114 on October 31, 1927.

Copy of stored question no. 114 and the answer given there on October 31, 1927.

QUESTION.

* Is it a fact that the honorary assistant collector in Panigaon, tahsil Mat, district Muttra, knows neither Urdu nor English nor can he write even one correct complete line of Hindi and does not know any law?

ANSWER.

The honorary assistant collector knows Hindi and Sarafi well and has a good working knowledge of tenancy law. When his cases have come up in appeal his work has been found to be good and his decisions sound.

* 242 to 255. **Saiyid Habib-ullah**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RESOLUTION BY THE PROVINCIAL MUSLIM LEAGUE AT MEERUT.

* 256. **Saiyid Habib-ullah**: Has the attention of the Government been called to the resolution passed by the Provincial Muslim League, held at Meerut on October 5, 1927, regarding the formation of unity boards in every district of these provinces?

Does the Government approve of this proposal?

If so, does it intend to take any steps in the matter? If not, why not?

The Hon'ble Sir Sam O'Donnell: (a) Government have seen a newspaper report of the proceedings.

(b) So far as Government are aware the resolution does not contemplate Government intervention in the matter.

NEW TRADE UNIONS ACT.

* 257. **Saiyid Habib-ullah**: Has the new Trade Unions Act come into force?

If so, how many trade unions are there in these provinces and what is the total number of their members?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Yes. Only one trade union has applied for registration so far. Its membership is not known.

* 258. **Saiyid Habib-ullah**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

PERMITS FOR USING THE CANAL PATRIS.

* 259. **Saiyid Habib-ullah**: On what principles are permits granted for using the canal patris?

The Hon'ble Sir Sam O'Donnell: Canal roadways are primarily intended for the use of the touring officers of the Canal department, but passes are also granted by executive engineers at their discretion to private persons whose business would otherwise suffer.

* 260 and 261. **Saiyid Habib-ullah**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 262. **Khan Bahadur Hafiz Hidayat Husain**: [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 263 and 264. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

OFFICER OF THE PUBLIC WORKS DEPARTMENT IN CHARGE OF
GOVERNMENT HOUSE.

*265. **Pandit Bhagwat Narayan Bhargava :** Is there any officer of the engineering department of upper subordinate grade in charge of Government House and its furniture? If so, what are his name, educational qualifications, previous experience, length of service in the department and elsewhere?

The Hon'ble Nawab Muhammad Yusuf: (a) No.

(b) Does not arise.

PANDIT KRISHNA GOPAL SHARMA, PRISONER.

*266. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that Pandit Krishna Gopal Sharma of Jhansi was transferred from Naini jail to Lucknow central jail in the beginning of this year by the special order of the Hon'ble the Home Member?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : The convict was transferred by order of the Inspector-General with the knowledge of the Government.

*266A. **Pandit Bhagwat Narayan Bhargava :** Has he now been sent to Lucknow district jail? If so, why and with whose order?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Yes; the transfer was ordered by the superintendent of the central jail who considered it necessary in the interests of discipline.

*267. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that all facilities and concessions which were previously given to him have been discontinued? If so, why? Has he ever been made a convict warder?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No facilities or concessions were authorized for this convict. He has never been a convict warder.

*268. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that he is taking food only once a day? If so, why?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

*269. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that he is ill and has gone down in weight? If so, why is he not being admitted into hospital? What hard labour is being given to him these days, and how much work is he required to do every day?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : He is not ill and his weight has increased by ten pounds since his admission to the Lucknow jail. He is not employed on hard labour, but is twisting 300 yards of *ban* daily.

*270. **Pandit Bhagwat Narayan Bhargava :** How much remission has he been given during the last two years? What is his total sentence? How much remission is allowed in a year under the rules?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) 124 days.

(b) Three years.

(c) A convict can earn from 60 to 100 days' remission during a year.

*271. **Pandit Bhagwat Narayan Bhargava** : Did he ask the jailer to send his application for remission of sentence to the Inspector-General of Prisons ? Was it withheld by him ? If so, why ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) No.

(b) No.

(c) Does not arise.

*272. **Pandit Bhagwat Narayan Bhargava** : Why have his moustaches been shaved ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : He had his moustache shaved voluntarily.

FESTIVALS OBSERVED AS HOLIDAYS IN JAILS.

*273. **Pandit Bhagwat Narayan Bhargava** : What are the Hindu and Muhammadan festivals for which holidays are allowed in jails ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : *Basant Panchami, Id-ul-Fitr, Id-us Zuhra, Chholum, Christmas Day and Good Friday, and one day each on the occasion of Holi, Dusshra, Diwali, and Muharram.*

PETITION BY HEM CHANDRA FROM NAINI JAIL AGAINST MR. FORDHAM

*274. **Pandit Bhagwat Narayan Bhargava** : (a) Was any petition sent by one Hem Chandra from Naini against Mr. Fordham, jailer of Naini jail, to the Hon'ble Home Member, the Inspector-General of Prisons, and the Deputy Inspector-General of Criminal Investigation department ?

(b) Were any statements recorded in the jail ? If so, what are the names of the persons who were examined and what was the nature of the complaint ?

(c) Is it a fact that Hem Chandra himself was not fully examined ? If so, why ?

(d) Did the petitioner mention in his petition names of prisoners who had proofs of the complaint in their possession ? If so, were those prisoners asked to give the same to Government ?

(e) Did the Superintendent examine Pandit Krishna Gopal Sharma also in this connexion ? Was his statement forwarded to the Inspector-General of Prisons ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) One Hem Chandra Chatterji, convict, was confined in the Naini central prison. After his release a letter, purporting to have been written by him, was sent to the Hon'ble Home Member, in which it was alleged that Mr. Fordham, jailer of the Naini jail, had beaten the writer and taken a bribe of Rs. 10 from him.

(b) and (d) : The only witness named in the applicant's letter was K. G. Sharma, who had by that date been transferred to the Lucknow central prison. Inquiry was made from him and from Mr. Maanamara, the assistant-in-charge of the jail branch press, as the bribe was said to

have been taken as a gratification for excusing the writer from a *peshi* which had been ordered on the complaint of Mr. Macnamara. The writer did not mention the name of any person as having proof of the complaint in his possession.

(c) As H. C. Chatterji made no complaint as long as he was confined in Naini jail and in his letters gave no address except Agra it was not possible to examine him.

(c) K. G. Sharma was examined by the Superintendent of the Lucknow jail, and his statement, which disclosed no direct knowledge of the facts, was forwarded to the Inspector-General of Prisons.

PROFESSIONAL POISONERS AT RAILWAY STATIONS.

*275. **Pandit Bhagwat Narayan Bhargava :** (a) Is it a fact that the Assistant Inspector-General of Railway Police, United Provinces, has recently notified that the police of the United Provinces is aware that the number of persons whose profession is to sell poisonous articles is not less than one hundred and thirty-six ?

(b) If the answer be in the affirmative, will the Government state if they have taken any action in this connexion ? If the answer be in the negative, is it the intention of the Government to make a thorough inquiry about the matter ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) Yes.

(b) All known prisoners are kept under surveillance. If any of them are proved to have committed any offence action is immediately taken against them.

*276. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the effect of this poison is to make a man forgetful of his personality and not to make him senseless in the ordinary sense.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No.

Khan Bahadur Sheikh Zia ul-Haq : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

FIRING IN MAURAWAN DURING THE MUHARRAM.

*278. **Raja Saiyid Ahmad Ali Khan Alvi :** Will the Government be pleased to state why gun-firing was resorted to in Maurawan on the 10th of *Muharram* last ?

The Hon'ble Sir Sam O'Donnell : To suppress the riot.

*279. **Raja Saiyid Ahmad Ali Khan Alvi :** Was due warning given to the mob before opening fire ?

The Hon'ble Sir Sam O'Donnell : Yes.

*280. **Raja Saiyid Ahmad Ali Khan Alvi :** Is it a fact that the local Government officials were aware that the relations between the Hindus and Muhammadans in Maurawan were strained ?

The Hon'ble Sir Sam O'Donnell : Yes.

*281. **Raja Saiyid Ahmad Ali Khan Alvi :** Is it a fact that some Muhammadans approached the sub-divisional officer of Purwa as well as the deputy commissioner and the superintendent of police, Unao, before

the firing and informed them about the situation? If so, was any inquiry made on the above representation and were any precautionary measures adopted to avert the impending danger?

The Hon'ble Sir Sam O'Donnell: (1) Yes.

(2) Yes.

* 282. **Raja Saiyid Ahmad Ali Khan Alvi:** Is it a fact that the local Muhammadans attribute all the trouble to the attitude of the sub-inspector in charge of the Maurawan police station? If so, is the Government making any inquiry into his conduct?

The Hon'ble Sir Sam O'Donnell: (1) Yes.

(2) Government have made inquiries and have found that the allegations are not correct.

IMPOSITION OF PUNITIVE POLICE ON MAURAWAN.

* 283. **Raja Saiyid Ahmad Ali Khan Alvi:** Has punitive police been imposed on Maurawan? If so, on which section of the population will its cost fall? If on the Muhammadans, is their financial condition such as to enable them to bear the cost?

The Hon'ble Sir Sam O'Donnell: (1) Yes.

(2) On the Musalmans.

(3) Yes.

* 284 to 291. **Pandit Bhagwat Narayan Bhargava:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

KEEPING OF NON-CHRISTIAN ORPHANS IN CHRISTIAN ORPHANAGES.

* 292. **Pandit Bhagwat Narayan Bhargava:** With reference to answer to starred question No. 80 of June 28, 1927, will the Government state if the non-Christian orphans in Christian orphanages were kept there of their own accord or with the consent or order of the Government.

(b) Has the Government any objection to order their transfer to non-Christian orphanages?

The Hon'ble Sir Sam O'Donnell: Before an orphan is placed in an orphanage it is, when its religion is known, offered to an orphanage managed by followers of that religion. Subsequent transfer depends on an offer being made, and on the suitability of the institution making it.

SCALE OF DIET FOR WITNESSES IN CRIMINAL COURTS.

* 293. **Mr. Muhammad Habib:** (a) Is the Government aware that the scale of diet for witnesses in criminal courts at present is two annas a day for witnesses of the working class, four annas a day for traders, and Re. 1 per day for Indians of higher classes?

Does the Government propose to raise this scale in proportion to the rise in prices and wages?

(b) Is it a fact that a higher scale of diet money is still allowed to Europeans, Eurasians, and Anglo-Indians? If so, will the Government be pleased to state whether it proposes to remove this invidious racial distinction by putting Indians and Europeans of the same class on an equal footing?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : For a correct statement of the various rates of diet allowances the honourable member is referred to paragraph 901 of the Manual of Government Orders.

TRAVELLING ALLOWANCE TO ASSESSORS

* 294. **Mr. Muhammad Habib :** Is it a fact that assessors attending sessions courts do not get any travelling allowance even though they have to come from places more than five miles from the courts? If so, does the Government propose to do anything towards removing their grievance?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :

(1) No.

(2) Does not arise.

* 295 to 299. **Mr. Muhammad Habib :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

POSTING OF A MUHAMMADAN SUBORDINATE JUDGE AND MUNSIF TO RAE BARELI.

*300. **Mr. Muhammad Habib :** Will the Government be pleased to state for how many years has no Muhammadan subordinate judge been posted to Rae Bareli.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : For the last 26 years, though two Muhammadan additional subordinate judges were posted there in 1924 and 1925.

*301. **Mr. Muhammad Habib :** Will the Government be pleased to state for how long no Muhammadan munsif has been attached to the Rae Bareli sadar?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : For the last 20 years, though two Muhammadan additional munsifs were posted there in 1913 and 1922.

POSTING OF A MUHAMMADAN DEPUTY INSPECTOR OF SCHOOLS TO RAE BARELI.

* 302. **Mr. Muhammad Habib :** Will the Government be pleased to state for how many years has no Muhammadan deputy inspector of schools been posted to Rae Bareli?

The Hon'ble Rai Rajeshwar Bali : From 1908 onwards no Muhammadan deputy inspector has been posted to Rae Bareli. Previous records are not available. The district inspecting staff was provincialized in 1911-12.

MUHAMMADAN DEPUTY INSPECTORS OF SCHOOLS.

* 303. **Mr. Muhammad Habib :** Will the Government be pleased to give the number of Muhammadan deputy inspectors (excluding those posted as deputy inspectors of Muhammadan schools) as compared with the total number of deputy inspectors in the province?

The Hon'ble Rai Rajeshwar Bali: Five out of forty-eight.

* 304 to 311. **Saiyid Tufail Ahmad:** [*Withdrawn by the honourable member.*]

GRADING OF STENOGRAPHERS OF DISTRICT AND SESSIONS JUDGES.

* 311A. **Saiyid Tufail Ahmad:** What are the reasons for putting the stenographers of district and sessions judges under class A and not class B of the various grades mentioned in the G. O. no. 1259/I B.—52, dated March 22, 1927?

The Hon'ble Sir Sam O'Donnell: The scheme for provincialization of stenographers does not apply to shorthand writers of judicial officers. The question asked does not, therefore, arise.

* 312. **Saiyid Tufail Ahmad:** What are the reasons for grouping the stenographers of district officers and district judges with the stenographers of those officers who are not heads of departments and grouping the stenographers of Deputy Inspector-General of Police, Criminal Investigation department, under class B?

The Hon'ble Sir Sam O'Donnell: The scheme for grouping stenographers is under consideration. No decision has yet been reached.

* 313 and * 314. **Khan Bahadur Hafiz Hidayat Husain:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CONFLAGRATIONS OF WOOD-STALLS IN BUDAUN MUNICIPALITY.

* 315. **Khan Bahadur Sheikh Saiyid Muhammad:** (a) Is the Government aware of several dangerous conflagrations of wood-stalls within the precincts of the municipality, Budaun, during the last three years?

(b) Has the said municipal board made any proper arrangement in the form of maintaining a fire brigade, etc., to meet such emergencies?

(c) If not, why not?

The Hon'ble Nawab Muhammad Yusuf: No. The honourable member should inquire locally.

REVISION OF ELECTORAL RULES IN MUNICIPAL AREAS.

* 316. **Khan Bahadur Shaikh Saiyid Muhammad:** Are the matters before the committee appointed to revise electoral rules in municipal areas to be decided by the majority of votes, or are they to be decided by the arbitrary will of the President?

The Hon'ble Nawab Muhammad Yusuf: The honourable member is referred to rules 10 to 13 of the Municipal Election rules published with notification no. 2085, dated August 19, 1925.

* 317 to 319. **Khan Bahadur Hafiz Hidayat Husain:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

MEETINGS OF THE PROVINCIAL MUSLIM EDUCATION COMMITTEE.

* 320. **Khan Bahadur Hafiz Hidayat Husain:** How many meetings of the Provincial Muslim Education Committee were held in the year 1926? If none, why? Does the Director of Public Instruction object

to more than one meeting of the Provincial Muslim Education Committee being held in each year? If so, why and under what rule of the Government?

The Hon'ble Rai Rajeshwar Bali: None. None was convened. No. Does not arise.

* 321. **Khan Bahadur Hafiz Hidayat Husain:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

TRANSFER OF PERSONS FROM NAZUL DEPARTMENT TO IMPROVEMENT TRUST, LUCKNOW.

* 322. **Khan Bahadur Hafiz Hidayat Husain:** How many persons were transferred from the Nazul department to serve under the Improvement Trust, Lucknow, in 1920? Did the Government decide to treat these officials as servants of the Government lent to foreign service in 1924?

The Hon'ble Rai Rajeshwar Bali: (a) Twenty, including eight peons.

(b) Yes.

* 323. **Khan Bahadur Hafiz Hidayat Husain:** Is it a fact that these employees have got no promotion since their services were transferred to the Improvement Trust? What is the salary which they received when serving under the Nazul department at the time of transfer and what is the salary they are getting now?

The Hon'ble Rai Rajeshwar Bali: (a) No.

(b) A statement showing the salaries they were receiving when their services were transferred to the Improvement Trust and their present salaries is laid on the table.

(See Appendix I, page 741.)

* 324. **Khan Bahadur Hafiz Hidayat Husain:** (i) Is it a fact that these employees have repeatedly complained to the Government of the harsh and unjust treatment meted out to them by the Improvement Trust?

(ii) Is it a fact that the Improvement Trust prosecuted Razi-ul-Hasan, Muhammad Shafi, and Chiragh Ali for offences under sections 467 and 420, I. P. C., and that all these officials were acquitted?

(iii) Have the Government examined the charges laid against these officials and have they now seen the judgments of the courts acquitting them?

(iv) Have all these officials now been restored to their former posts under the trust?

(v) For how long did these criminal cases last?

(vi) Who bore the expenses of the defence of the employees? Is it the intention of the Government to compel the trust to reimburse the employees with the cost of defending themselves?

(vii) What are the expenses incurred by the Improvement Trust in the prosecution of these cases?

The Hon'ble Rai Rajeshwar Bali: Yes.

(ii) Yes; but two of them were convicted by the original court.

(iii) No.

(iv) Yes.

(v) The cases against Hazi-ul-Hasan and Muhammad Shafi lasted from February 5, 1925 to April 23, 1925, and from February 5, 1925 to November 13, 1925, respectively, and that against Chiragh Ali from June 11, 1926 to May 29, 1927.

(vi) (a) Government have no information.

(b) No, there is no such intention so far.

(vii) The prosecutions were conducted on behalf of the King-Emperor and the Trust had no expenses to bear except the amount paid for the services of an expert in handwriting in one of the cases.

* 325. **Khan Bahadur Hafiz Hidayat Husain:** Have these officials again applied to the Government for a re-transfer of their services to the Government departments and have they complained to the Government of the unfair and unjust treatment meted out to them by the improvement trust? Have the Government disposed of their applications, and, if so, with what result?

The Hon'ble Rai Rajeshwar Bali: (a) Yes.

(b) Yes.

(c) The applications are still under consideration.

* 326. **Lala Nemi Saran:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 327. **Khwaja Khalil Ahmad Shah:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

POWERS OF SARDAR AUTAR SINGH, HONORARY MAGISTRATE AND MUNSI.

* 328. **Khwaja Khalil Ahmad Shah:** Is it a fact that the powers of Sardar Autar Singh, honorary magistrate and munsif, have been withdrawn? If so, will the Government be pleased to state whether permanently or for the time being?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The magisterial powers of Sardar Autar Singh have not been withdrawn. On the expiry of the term of his appointment as honorary munsif no recommendation for renewal of the appointment was made to Government, and his appointment as honorary munsif has, therefore, come to an end.

* 329. **Lala Nemi Saran:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

* 330 and 331. **Babu Uma Sankar:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

ARYA SAMAJ AND HINDU PROCESSIONS.

* 332. **Babu Uma Shankar:** (a) Will the Government be pleased to say if there is a strong feeling amongst the Hindus and the Arya Samajists against the imposition of restrictions on the Arya Samaj and Hindu processions only?

(b) Will the Government be pleased to say if in July, 1926, protest meetings of the Hindus and the Arya Samajists against such interference and imposition of restrictions on Hindu and Arya processions were held all over the country?

(c) Is it a fact that the resolutions passed at those meetings were sent to the Government for consideration?

(d) Will the Government be pleased to say what action, if any, the Government has taken on such resolutions?

(e) Is the Government aware that on representation made to Lord Meston, the then Lieutenant-Governor of these provinces, regarding the taking out of *Nagar Kirtans* on King's highways, his Government issued circular letters to the district authorities not to interfere in the Arya Samaj processions or *Nagar Kirtans*?

(f) Will the Government be pleased to say why a departure of the said policy of non-intervention has been made in several places in respect of *Nagar Kirtans*? If not, do Government intend to issue instructions to the district authorities not to impose restrictions on Arya Samaj processions? If not, why not?

The Hon'ble Sir Sam O'Donnell: (a) No restrictions have been placed on Arya Samaj and Hindu processions, which would not in similar circumstances be imposed on the processions of other communities. Government, therefore, know of no reason why there should be strong feeling among the Hindus and Arya Samajists.

(b) Yes.

(c) Yes.

(d) The resolutions were acknowledged.

(e) Government understand that certain orders were issued.

(f) Government are unable to agree that the local authorities are acting in any way contrary to the instructions issued in 1913 and re-affirmed in 1917.

* 333. **Babu Uma Shankar:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CONVICTION OF A STUDENT, RESIDENT OF KHURJA, IN
BULANDSHAHR DISTRICT.

* 334. **Nawabzada Muhammad Liaqat Ali Khan:** (a) Is it a fact that a young student, resident of Khurja, in Bulandshahr district, was recently tried and convicted under certain sections of the Railway Act in the court of a deputy magistrate of the Bulandshahr district and that as a result of his conviction he committed suicide?

(b) What is the name of the deputy magistrate who tried the case?

(c) (1) What was the name of this student? (2) Under what sections of the Railway Act was he tried and convicted and what was the maximum fine provided under these sections and what was the fine awarded?

(d) Will the Government be pleased to lay a copy of the judgement on the table?

(e) Is it a fact that the accused committed suicide because of the disgrace he felt at his conviction and he left a dying declaration addressed to his father in which he stated that the disgrace had been heaped upon him unjustly?

(f) Was it urged on behalf of the defence in the case that the whole case was concocted by Jagdish Prasad, railway guard, and Ramayan Sahai, stationmaster, Khurja city station?

(g) Will the Government be pleased to inquire into these allegations?

(h) What was the procedure adopted in the trial of the case, whether regular or summary? How long has the magistrate been exercising summary powers?

(i) What was the status, position, and nationality of the accused? What were his father's pecuniary means and circumstances?

(j) What were the particulars of the charges against the accused, and were the persons aggrieved by the alleged conduct of the accused produced as witnesses against him?

(k) Does the Government propose to institute an inquiry into the affair?

The Hon'ble Sir Sam O'Donnell : (a) (1) Yes.

(2) He committed suicide after he had been convicted.

(b) Babu Janki Nath Sahai.

(c) (1) Abdul Hamid Khan.

(2) The honourable member is referred to the answer given to (ii) of Khan Bahadur Hafiz Hidayat Husain Sahib's starred question No. 236 for November 1, 1927.

(d) The answer is in the negative.

(e) (1) This must remain a matter of inference, but it is probably so.

(2) Yes.

(f) & (g) Government must decline to discuss the evidence on which a judicial finding is based.

(g) No.

(h) (1) Summary.

(2) Government have no information.

(i) (1) He was a Muslim student reading in the Aligarh Muslim University.

(2) Government have no information.

(j) (k) No.

Copy of starred question No. 236 asked by KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB and the answer given thereto on November 1, 1927.

QUESTION.

* (i) What are the circumstances under which Abdul Hamid Khan of Khurja, Bulandshahr district, reading in the B. A. class of the Muslim University, Aligarh, lost his life last July?

(ii) (a) Was this student prosecuted for offences under sections 120 and 121 of the Railway Act?

(b) Was he convicted and given the maximum punishment allowable under the sections?

(iii) Has Government's attention been drawn to the allegation that the case against the student was a false one, got up on account of a small quarrel between him and the guard of the train?

(iv) What is the nationality of the lady passengers against whom the offence is said to have been committed?

(v) Have Government instituted any inquiry into the affair to find out the part played by the guard of the train, the station master of Khurja, and the railway sub-inspector in this matter?

ANSWER.

* (i) He committed suicide.

(ii) (a) Yes.

(b)

(1) Yes.

(2) No.

(iii) Yes.

(iv) Government have no information.

(v) The answer is in the negative.

*335. **Pandit Badri Dutt Pande:** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

OPENING OF A DAIRY AT LALKUA.

*336. **Pandit Badri Dutt Pande:** Has any monopoly been given by Government to open a dairy at Lalkua and prepare *khoya* and *ghi*?

(b) If so, what are the terms?

The Hon'ble Thakur Rajendra Singh: (a) No.

(b) Does not arise.

LONDON MISSION SCHOOL, BENARES.

*337. **Babu Kavendra Narayan Singh:** Is it not a fact that the London Mission School, Benares, gets a monthly grant from the Benares Cantonment Committee on the positive understanding that it entirely educates the boys residing within the cantonment area?

The Hon'ble Rai Rajeshwar Bali: No.

*338. **Babu Kavendra Narayan Singh:** Is the Government aware of the fact that in the London Mission School, Benares, there are endowments for specific purposes and having separate designations, e.g., Centenary Scholarship Fund, Burn Memorial Scholarship Fund and probably some sort of endowment by the Vizianagram *raja*?

The Hon'ble Rai Rajeshwar Bali: Yes.

*339. **Babu Kavendra Narayan Singh:** Is the Government aware that the said school is practically self-supporting? If not, will the Government be pleased to ascertain from the London Mission Society the sum of money they spend over it?

The Hon'ble Rai Rajeshwar Bali : The difference between approved expenditure and fee income *plus* the maximum grant-in-aid permissible under the rules is approximately Rs. 3,000 per annum.

340. **Babu Kavendra Narayan, Singh.** Will the Government be pleased to ask the London Mission Society to submit a statement showing the occasional subscriptions given to the institution by the public and the sum of money spent out of the Mission Society fund for the secular education of the boys apart from their religious training?

The Hon'ble Rai Rajeshwar Bali : The management report the following figures for the past five years :—

	Rs.		
From the public	7
From the society	19,540

UNSTARRED QUESTIONS.

1 to 5. **Saiyid Tufail Ahmad :** [*Postponed at the request of Government till the first day of the next meeting of the Council*]

6 and 7. **Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

8 to 14A. **Khawaja Khalil Ahmad Shah :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

15. **Babu Kishori Prasad :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CASES OF KIDNAPPING.

16. **Chaudhri Dharamvir Singh :** Will the Government be pleased to supply information as required by the following table?—

Year.	Name of district.	Number of cases of kidnapping and abduction coming to the notice of the police.	Number of those cases in each of which the victim was a Hindu.	Number of those cases in each of which the offender was a non-Hindu.
1924	Bijnor ..	..	
	Meerut ..	..	
	Almora ..	..	
	Naini Tal ..	..	
	Garhwal ..	..	
	Moradabad ..	..	
1926	Bijnor ..	..	
	Meerut ..	..	
	Almora ..	..	
	Naini Tal ..	..	
	Garhwal ..	..	
	Moradabad ..	..	

Mr Jagdish Prasad : The information is not available. Its will involve an amount of labour which would be disproportionate to its value.

DIET MONEY PAID TO WITNESSES IN CRIMINAL CASES.

17. **Chaudhri Dharamvir Singh** : What is the rate of daily diet money paid to witnesses in criminal cases in (a) Kumaun division, (b) the rest of the Agra province and (c) Oudh ?

18. **Chaudhri Dharamvir Singh** : (1) In Kumaun division, when was the rate of diet money fixed at its present level? (2) Does the Government contemplate any increase in the rate of this diet money ?

Mr. R. L. Yorke : 17. The honourable member is referred to paragraph 901 of the Manual of Government Orders, volume I, as corrected by Correction Slip 201.

18. (1) September 5, 1927.

(2) The honourable member is referred to the answer given to starred question No. 34 on October 26, 1923.

Copy of starred question No. 34 asked by BABU CHHAUL BIHARI KAPUR SAHIB and the reply given there to on October 26, 1923.

QUESTION.

* Has the High Court recommended that the scale of diet allowance paid to Crown witnesses should be raised? If so, what action is the Government taking on that recommendation ?

ANSWER.

* Yes. Government proposes to raise the scale as soon as funds are available to meet the extra expenditure involved.

SACRED THREADS FOR HINDU PRISONERS IN JAILS.

19. **Chaudhri Dharamvir Singh** : (a) Are Hindu prisoners allowed to wear their sacred threads in jails? (b) If so, are the sacred threads allowed to be renewed? (c) If not, why?

Mr. R. L. Yorke : (a) and (b) Yes.

(c) Does not arise.

20 and 21. **Chaudhri Dharamvir Singh** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

APPOINTMENT OF MUSLIM EXAMINERS IN S. L. C. EXAMINATIONS.

22. **Maulvi Zahur-ud-din** : (a) Is it a fact that no Muslim gentleman has been appointed head examiner for any of the subjects (except Arabic) in the S. L. C. examination for the last several years, since the Act II of 1921 came into operation?

(b) How many Muslims out of the total number of examiners were appointed in each subject for the said years?

23. **Maulvi Zahur-ud-din** : Will the Government be pleased to supply, in a tabular form, the following information about each of the following examinations for the last five years :—

(a) Intermediate.

(b) High school.

(c) Scholarship.

(d) School final.

(e) Normal.

Tabular Form.

Subject.	Head examiners, whether Muslim or non-Muslim.	Number of Muslim examiners.	Number of non-Muslim examiners.

Mr. Panna Lal : 22 and 23. Information in regard to examiners is of a confidential nature and therefore cannot be supplied.

MUSLIM PRESIDENTS IN THE EXAMINING BOARDS FOR THE PRACTICAL EXAMINATION OF THE NORMAL SCHOOLS.

24. Maulvi Zahur-ud-din : Will the Government be pleased to state the number of Muslim presidents in the examining boards for the practical examination of the normal schools for the last five years ?

Mr. Panna Lal : The number is nil.

MUSLIM TEACHERS IN TRAINING COLLEGES.

25. Maulvi Zahur-ud-din : How many Muslims are on the teaching staff in the three Training colleges at Lucknow, Agra, and Allahabad ? And out of how many ?

Mr. Panna Lal : A statement is placed on the table of the honourable member.

(See Appendix J, page 741.)

MUSLIM HEADMASTERS OF NORMAL AND HIGH SCHOOLS IN PROVINCIAL EDUCATIONAL SERVICE.

26. Maulvi Zahur-ud-din : How many headmasters of the Government normal schools who are also members of the Provincial educational service are Muslims and how many non-Muslims ?

Mr. Panna Lal : Eight, none of whom is a Muslim.

27. Maulvi Zahur-ud-din : How many head masters of the Government high schools in the Provincial Educational Service are Muslims and how many non-Muslims ?

Mr. Panna Lal : Forty-seven, six of whom are Muslims.

28. Maulvi Zahur-ud-din : How many principals of the Government intermediate colleges are Muslims and how many non-Muslims.

Mr. Panna Lal : Eight, of whom one is a Muslim.

CLASSIFICATION OF JHANSI DISTRICT AND ITS TREASURY.

29. Pandit Bhagwat Narayan Bhargava : Is Jhansi a first-class treasury ?

30. **Pandit Bhagwat Narayan Bhargava :** Has the office superintendent of Jhansi collectorate been given the pay of a first-class district on the ground of his having work equal to that of a first-class district ?

31. **Pandit Bhagwat Narayan Bhargava :** What is the difference between the expenditure of a first-class and a second-class district ?

32. **Pandit Bhagwat Narayan Bhargava :** Is it the intention of the Government to declare Jhansi district to be a first-class district with reference to the Collector's office ?

Mr. H. A. Lane : 29. Yes.

30. The office superintendent of the Jhansi district was allowed the pay (Rs. 260) fixed for office superintendents of first class districts because all other office superintendents serving at the head quarters of divisions were drawing pay at that rate.

31. The class of districts does not determine their total expenditure, but only fixes the rates of pay of the grades in their establishment. Total expenditure varies between districts of the same class according to the actual requirements of each.

32. No.

33 and 34. **Thakur Gulab Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

ALLEGATIONS AGAINST SUB-INSPECTOR SHEODAYAL SINGH OF MAINPURI DISTRICT.

35. **Thakur Gulab Singh :** Will the Government be pleased to state the ultimate result of inquiries made by the District Magistrate of Mainpuri into the allegations against Sub-Inspector Sheodayal Singh of Mainpuri district ?

Kunwar Jagdish Prasad : The honourable member is referred to the answer given to starred question No. 85 for November 3.

Starred question No. 83 for November 3, 1927 and the answer there to.

QUESTION.

What action has Government taken against the sub-inspector of Shikohabad whose complaint for defamation was dismissed by the High Court in May last ? Was he suspended ? If so, when ? Has any case been started against him in any court ? If so, where ? What are his academic or literary qualifications ? What knowledge of English does he possess.

ANSWER.

Inquiries were made and the district magistrate came to the conclusion that proceedings against the sub-inspector were not likely to be successful. The Government on legal advice accepted this conclusion. As regards the second part of the question, the sub-inspector does not know English, but his attainments are sufficient for the post which he holds.

36 to 38. **Thakur Gulab Singh :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

FEES FOR MEDICAL ATTENDANCE FOR THE WIVES AND DAUGHTERS OF GOVERNMENT SERVANTS.

39. **Thakur Gulab Singh :** Are the government servants required under any rules to pay fees to the lady doctors should their females consult them in public hospitals ?

Sir Ivo Elliott : Lady doctors, with the exception of those employed at the Women's Medical School, Agra, are not government servants. No fee is however charged for consultation in the Dufferin or women's hospitals.

PROVINCIALIZATION OF THE SERVICES OF MUNICIPAL EMPLOYEES, *e.g.*,
EXECUTIVE OFFICERS, SECRETARIES, ETC.

40. Thakur Gulab Singh : (a) Has the attention of the Government been drawn to the resolution regarding provincializing the services of the executive officers, secretaries, etc., passed by the conference of the municipal employees held at Cawnpore this year? (b) What action does Government propose to take in the matter?

Sir Ivo Elliott : (a) Yes.

(b) The honourable member is referred to the answer to starred Council question No. 143 (6) (b) of October 29, 1927 (copies below).

QUESTION.

*143. With reference to the fact that most of the city and other important municipalities come under the category of bad and indifferent ones in the matter of accounts as remarked by the Examiner, Local Fund Accounts, in his annual report for 1925-26, will the Government be pleased to state—

- (1) What they propose to do to improve the existing condition;
- (2) whether there is a proposal to appoint whole-time auditors for first-class municipalities, and to replace the test audit by a detailed audit;
- (3) whether such a proposal was made by the Cawnpore and Benares municipalities, and, if so, what steps the Government took to give effect to the proposal;
- (4) whether the Government have considered the desirability of separating the two functions of "Audit" and "Inspection" placing the former under the Director of Audit, and the latter under the Chief Inspector of Offices, who will report to the Minister in charge of Local Self-Government for suitable action;
- (5) what is the amount of audit fees now levied on municipal boards for test audit, and what will be the cost if a detailed audit is introduced;
- (6) whether the attention of the Government is drawn to the concluding para. 219 of the report of the Examiner, Local Fund Accounts, United Provinces, for 1925-26 and, if so, what action they propose to take in order to attract better class of people to municipal service?

ANSWER.

*(1) The present condition of the accounts of local bodies is generally due to disregard of rules and want of effective control and proper supervision. Improvement depends mainly on the boards themselves. Their attention is called to this important matter annually in audit notes and Government resolution, on the working of municipal and district boards. The annual audit of accounts is, in fact, held partly for this purpose. Government have recently made rules which will ensure the employment of competent accountants by district and municipal boards.

(2) No.

(3) (a) Yes.

(b) The proposal was not accepted by Government.

(4) No.

(5) The cost to municipal boards of the test audit in 1925-27 was Rs. 51,700; a detailed audit is estimated to cost Rs. 1,54,446 per year.

(6) (a) Yes.

(b) A proposal to provincialize the services of executive officers and secretaries of municipal boards with a view to giving them greater security of tenure was considered by the Local Self-Advisory Committee on July 1, 1927.

41. **Pandit Nanak Chand :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

EXEMPTIONS FROM PRESCRIBED EDUCATIONAL QUALIFICATIONS IN
CASES OF PROMOTIONS FROM GRADE TO GRADE.

42. **Pandit Nanak Chand :** (a) Do Government require exemptions under rule 342, Manual of Government Orders, in cases of promotions from one grade, to a higher grade, or even in cases of transfers from one post to another post in the same grade?

(b) Is the Government aware that a practice prevails at Bulandshahr where exemptions are obtained in cases of transfers from one post to another within the same grade?

Kunwar Jagdish Prasad : (a) Exemptions are necessary in all cases of promotion. In cases of transfer when there is no change in the pay of the post they are left to the discretion of the head of the department.

(b) Government has no information.

43. **Pandit Nanak Chand :** [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

CONTRIBUTIONS BY GOVERNING BODIES TOWARDS THE MAINTENANCE OF
DEGREE COLLEGES.

44. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to place a statement on the table showing the amount of contribution made by the governing body of each degree college in these provinces towards the maintenance of each institution and the amount of grant-in-aid paid by Government to each of these colleges?

Mr. Panna Lal : A statement is laid on the table of the honourable member.

(See Appendix K, page 742.)

POSTING OF MUHAMMADAN MUNSIFS TO GHAZIABAD AND DEOBAND
MUNSIFS.

45. **Saiyid Tufail Ahmad :** Will the Government be pleased to state how long there has been no posting of (a) a Muhammadan principal munsif in Ghaziabad munsif's court, and (b) a Muhammadan munsif in Deoband munsif's court?

Kunwar Jagdish Prasad : (a) Since December 11, 1919.

(b) The honourable member is referred to the answer to starred question No. 32 for to-day.

THEFTS AND DACOITIES IN THE MEERUT DISTRICT.

46. **Chaudhri Dharamvir Singh :** Will the Government be pleased to state for the period from September, 1926 to September, 1927—(a) the number of thefts reported to the police in Meerut district in each of which the stolen property along with or without other things consisted of arms or ammunition, and (b) in how many of the number asked in (a) the stolen property belonged to Muslims?

Kunwar Jagdish Prasad : (a) Ten.

(b) In three cases.

47. **Chaudhri Dharamvir Singh** : For the period from July, 1927 to October 15, 1927, will the Government be pleased to state the number of dacoities committed in Ghaziabad tahsil of Meerut district ?

Kunwar Jagdish Prasad : Five.

48. **Khan Bahadur Hafiz Hidayat Husain** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

REPORT ON HINDU-MUSLIM RIOT AT SANDILA.

49. **Saiyid Tufail Ahmad** : Will the Government be pleased to lay on the table a copy of the report of the Deputy Commissioner of Hardoi on the Hindu-Muslim riot, which occurred at Sandila during the last *Muharram* celebrations, or a statement showing in chronological order the various events leading up to that riot ?

Kunwar Jagdish Prasad : Government cannot make any statement as two cases connected with the riot at Sandila are pending in court.

50 and 51. **Khan Bahadur Mr. Masud-ul-Hasan** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

HINDU MEMBERS ON THE THE RANIKHET CANTONMENT BOARD.

52. **Chaudhri Dharamvir Singh** : (a) What is the number of Hindu members proscribed by rules for the Ranikhet Cantonment Board ?

(b) In the case of the present Ranikhet cantonment board has any departure been made from the rules so far as the number of Hindu members is concerned ? If so, why ?

(c) What was the number of Hindu members in the last board, and what is it in the present board ?

Sir Ivo Elliott : (a) Four.

(b) Government are making inquiries. The new Board has not yet been constituted.

(c) Does not arise.

53. **Pandit Devata Prasad** : [*Postponed at the request of Government till the first day of the next meeting of the Council.*]

RAM LILA UTSAB, ETAWAH.

54. **Pandit Devata Prasad** : (a) Will the Government lay on the table the correspondence passed between *Ram Lila* Committee, Etawah, and the Magistrate of Etawah ?

(b) Is the Government aware of the fact that the *Ram Lila Utsab* was not celebrated again this year ? And what were its reasons ? Were there any definite instructions given by the Government to the local authority ? Is the Government prepared to lay on the table all the necessary papers concerned ?

Kunwar Jagdish Prasad : (a) No correspondence passed between the *Ram Lila* Committee and the Magistrate of Etawah.

(b) (i) Yes.

(ii) The magistrate refused to give a guarantee that the procession would be immune from the police regulations.

(iii) No.

(iv) Does not arise.

THE UNITED PROVINCES TOWN AREAS (AMENDMENT) BILL.

(Discussion on the motion made on November 3, 1927, that the United Provinces Town Areas (Amendment) Bill be referred to a select committee.)

Rai Bahadur Lala Mathura Prasad Mehrotra : As most of the honourable members are aware, I had introduced a Bill to amend the United Provinces Town Areas Act, 1914, in September, 1924. The Bill was then referred to a Select Committee in March, 1925, after which we held several meetings of the Select Committee, so much so that the whole Bill was discussed and passed. We were then waiting for some non-official days in order to discuss the Bill in the Council, but unfortunately we could not get them in the August session of 1926 at Naini Tal. A representation was also made to His Excellency the Governor, but neither non-official days were allotted nor was a meeting of the Council called and consequently the Bill lapsed, with three others. So the Bill that I am referring to the Select Committee this morning is the same word by word as it came out of the last Select Committee. I think that the whole House will agree with me that it is only a formal business that this Bill is again to be referred to a Select Committee and it does not require any long discussion.

Sir, I consider this Bill very important, because it is a stepping-stone to local self-government or swaraj. Since the Reforms Act of 1919 we find that the Municipalities and District Boards Acts have been amended. The Panchayats Act has also been passed, but this Act of 1914 which is a stepping-stone has been left without any consideration by the last four Ministers. I consider it very necessary that the Act should be amended and hope that the honourable members will lose no time in getting this Bill passed by this House.

Khan Bahadur Hafiz Hidayat Husain : I have no desire to oppose the reference of this Bill to a Select Committee, but I desire to make one or two observations with regard to certain provisions contained in it. This Bill is meant to amend the United Provinces Town Areas Act, which provides in its preamble as follows:—

“Whereas it is expedient to make better provision for sanitation, lighting, and improvement to the town areas.”

Now, we all realize that town areas should be improved, and I also appreciate the anxiety of the honourable mover that some elective element should be introduced into the administration of these town areas. But if we are going to introduce the elective element in town areas and have adopted the system of communal representation in all elective bodies, i.e., in municipal boards, district boards, and the Legislative Council, I see absolutely no reason why no attempt should have been made in this Bill to secure separate representation for the

[Khan Bahadur Hafiz Hidayat Husain.]

Muslims. I have had a list drawn up of the inhabitants residing in town areas and I note that the percentage of Muslims in panchayats of those town areas is very much less than it ought to be. You should adopt either the proportion of the Municipalities Act or of the District Boards Act. I hope that the Select Committee will carefully consider this matter of special representation of the Musalmans in those town areas; for after all, if you are going to educate Indians in the art of self-government, it will not do to leave one section of the community to itself and educate the other. On the contrary, self-government can only prosper if every section of the community is equally trained in the art of self-government.

With regard to the provisions of the Bill, I have got one or two observations to make. The first is that the Bill seems to have been rather carelessly drawn up, because clause 4 of the Bill says :—

"The district magistrate may, by written order and subject to such conditions and restrictions as he may think fit to impose, delegate all or any of the powers conferred on him by sections 8A(2), 9 (3), 10, 11, 15, 33, and 36."

I find however that no powers under any of these sections have been given to the district magistrate. Then far too large powers, I may say arbitrary powers, have been given to panchayats. The panchayats could not be expected to exercise those powers in a wholesome way without some previous training or active supervision. In the Statement of Objects and Reasons accompanying this Bill, Mr. Mehrotra says :—"but this Town Areas Act, which is the stepping-stone of local self-government, has been left untouched, although the District Boards Act and the Municipalities Act have been modified and the Panchayat Act has been passed." The Town Areas Act need not be magnified unduly into a stepping-stone towards the art of self-government, and need not be given the position of the Municipalities Act and the District Boards Act, which are real stepping-stones, and more important, ones too, towards that art. Town areas are generally composed of not more than three to four thousand persons. Therefore we must be careful to see that in our anxiety for local self-government we do not jeopardize their existence. I have seen lately that town magistrates have a tendency to encroach on the rights of the zamindars of those town areas beyond the powers given to them in the United Provinces Town Areas Act, and I hope Government will see that nothing of this invasion is allowed to happen and that these panchayats that are going to be created by elective system under the modifying Act of my friend do not encroach on the rights of the zamindars and that those rights are preserved to them as they have so far been.

These are the only observations that I have to make at this stage.

Shaikh Muhammad Habib-ullah : I shall not be able to sit on this Select Committee. I therefore withdraw my name.

Khan Bahadur Maulvi Fasih-ud-din : I happened to be a member of the Select Committee of the last Bill which has been referred to by my friend Mr. Mehrotra. The other Muslim member on that committee was Mr. Obaid-ur-Rahman. Mr. Mehrotra will testify to the fact that both of us suggested that if an elective principle was to be introduced in the Town Areas Bill, there should be a certain amount of Muslim

representation. After I attended two or three meetings of the Select Committee, I did not hear anything about the other meetings of the Select Committee and I am not up to this day aware as to when and how that Bill was passed by the Select Committee. It is really news to me today that the Select Committee passed some sort of Bill which His Excellency the Governor did not bring before the Council. My own impression was that the Bill was not finally passed and for that reason it could not be brought before the Council, and the cause for this delay was that two members that happened to be members of that Committee did not agree with some of the principles of the Bill. So I want to elicit some information on this point.

The Hon'ble the President: Will the honourable member take part in the debate after this question has been answered?

Khan Bahadur Maulvi Fasih-ud-din: No, Sir, not today.

Raja Kushal Pal Singh: The notification No. 4428 is as follows:—

“In exercise of the power conferred by section 73 of the United Provinces Town Areas Act the Local Government has declared that the maintenance and support of public hospitals and dispensaries within the limits of the town area is an appropriate charge on town funds”

But Government have not laid down any rules to determine what portion of the cost of the upkeep of a dispensary should be borne by a town area. I hope the select committee will supply this omission and thus remove a source of constant friction between district boards and town areas.

(At this stage the following additional names of members to serve on the select committee were proposed and seconded.)

1. Khan Bahadur Mr. Masud-ul-Hasan.
2. Kunwar Surendra Pratap Sahi.
3. Khan Bahadur Hafiz Hidayat Husain.
4. Hafiz Muhammad Ibrahim.
5. Babu Sampurnanand.
6. Saiyid Tufail Ahmad.
7. Bhaya Hanumat Prasad Singh.

The Hon'ble Nawab Muhammad Yusuf: I should like to say a few words. My friend, the member for Budaun has said that he is not aware as to what stage this Bill is in. I may inform the honourable member that the report was sent to every member. The honourable mover has tried to make out that it is purely a formal matter. A new Council has come into being; the whole thing will have to be threshed out again; and after the Bill has emerged from the select committee, the Council will have to give serious consideration to it before it is finally passed, as it is a far-reaching departure. That is all I have to say. I do not oppose the motion for the reference of the Bill to a select committee.

Rai Bahadur Lala Mathura Prasad Mehrotra: One or two points have been referred to by one or two members of the select committee and I think the select committee will consider them. My friend Khan Bahadur Maulvi Fas

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

already replied and I have given the honourable member a copy of the Bill which was printed and circulated to members, and I hope he will be satisfied.

The motion that the Bill be referred to a select committee consisting of the following instead of the members originally proposed was put and adopted :—

1. Pandit Nanak Chand.
2. Pandit Brijnandan Prasad Misra.
3. Pandit Bhagwat Narayan Bhargava.
4. Lala Nemi Saran.
5. Rai Bahadur Babu Mohan Lal.
6. Maulvi Muhammad Olaid-ur-Rahman Khan.
7. Khan Bahadur Mr. Masud-ul-Hasan.
8. Kunwar Surendra Pratap Sahi.
9. Khan Bahadur Hafiz Hidayat Husain
10. Hafiz Muhammad Ibrahim.
11. Babu Sampurnanand
12. Saiyid Tufail Ahmad.
13. Bhaiya Hanumat Prasad Singh.
14. The Legal Remembrancer to Government, and
15. The Secretary to Government, Local Self-Government department.

THE UNITED PROVINCES MUNICIPALITIES (AMENDMENT) BILL.

(A motion for leave to introduce the above Bill was not made, as the honourable member in charge (Chaudhri Mangat Singh) was absent.)

RESOLUTION *re* ABSTENTION OF OFFICIAL MEMBERS FROM VOTING ON MATTERS CONCERNING THE TRANS- FERRED DEPARTMENTS.

Babu Sampurnanand : I beg to move—

“That this Council recommends to the Government to accept the convention that in all matters coming up before this Council concerning the transferred departments, including votes of non-confidence in Ministers, the official members of the Council should abstain from voting.”

I believe, Sir, I am in the happy position of moving a resolution which will meet with support from the members of this House. I am conscious that the discussion of this resolution is practically impossible without a discussion of the principles and practice of dyarchy. But I propose to practise the strictest self-control in this matter and I shall say as little as possible about the merits of dyarchy as a system of administration. I am specially strengthened in my resolve by the knowledge that at least two members of the Government are themselves of opinion that dyarchy should be put an end to. In their joint note put before the Reforms Inquiry Committee, the Hon'ble the Home Member and the Hon'ble Minister for Education say :—“Here we speak with first-hand knowledge of the working of the constitution. We are of opinion that in these provinces the system of dyarchy should be brought to an end and full provincial autonomy conceded. We base our conclusions partly on the working of the system and partly on the results so far achieved.”

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I believe that this is the opinion, not only of these two members but of their other colleagues also. I know it is not within the scope of this resolution to make an attempt to put an end to dyarchy, but I do believe that if this resolution is accepted we shall be a step nearer that goal, and I therefore hope that those members also who attach any weight to the opinions of the honourable members I have mentioned will lend me their support. An official *bloc* is an anomaly in a legislative body. It is the duty of the Executive, of the permanent Civil Service, to carry out the policies laid down for them by the Legislature. It is not their function to have a hand in shaping that policy. Even where there are better constitutions, where the Executive is more responsive to public opinion, it is not held that the influence of the Civil Service has been for the good in matters of policy. This has been very well expressed by Mr. Montagu in a speech delivered in the House of Commons on June 5, 1919. He said in the course of that speech: "After all, the Civil Servant in India is not any different from the Civil Servant in this country. Whoever heard of political reform in any office in this country coming out of the Civil Service? This House is the place for political reform. You will never get it carried out by the Civil Service." Professor Keith says in his well-known book "The Constitution, Administration and Laws of the Empire in connexion with the British Civil Service":—"The actual business is largely conducted by the permanent staff which as a result of the War has received much higher remuneration and been divided into a more elaborate hierarchy than before without adding either to its efficiency or loyalty. The new minister, unless a man of quite exceptional strength or character and intellectual power is in a large measure helpless in their hands; mere resistance out and out to his policy he could easily defeat but the more subtle form of the raising of objections, supported by a wealth of knowledge and argument against which it is hard to contend, is sufficient to deflect seriously the purpose of even an able and determined man." That, Sir, is the Civil Servant in England. We can very well imagine that the state of affairs here must be a hundred times worse where the Civil Servant is able to influence the Minister not only behind the scenes because of his special knowledge and experience but because the Minister depends upon him for his votes. Therefore, he must be very greatly influenced by the Civil Servant. It is also impossible for members of a permanent service like this to possess that breadth of vision, that intimate knowledge of changing opinions as they change from day to day, which is essential to those who must have the shaping of policy in their hands. Whatever might be said about the merits of dyarchy, I would like to say that the presence of an official *bloc* is not an essential ingredient of this system of administration. It is very difficult for me to quote chapter and verse in support of my contention because dyarchy finds no place in the constitution of any civilized country. But in the course of my researches on the subject I have come across an example of a country which is to some extent like our own, which does possess an administration of a dyarchical kind. I am sure if I put it to the honourable members in the form of a conundrum they would hardly be able to name this unfortunate country, so I shall give the information myself. It is the tiny island of Malta in the Mediterran-

[Babu Sampurnanand.]

can Sea, one which England wants to own because of its strategic position. I find, Sir, that the island of Malta is in the same category to some extent as we are. The book here says :—

“The Governor, accordingly, is assigned two quite different capacities, one as the constitutional head of the Maltese administration acting on ministerial advice, one as an Imperial officer managing those affairs reserved to the Imperial Crown.”

Then there follows a list of reserved and transferred subjects. But unfortunately for us, even Malta is superior to us in certain respects. There it is not necessary for the successful administration of the island that there should be an official *bloc* in the Legislature. We find that the Legislature “consists of a Senate of seventeen members, chosen to secure representation of the clergy nobility, learned classes, merchants, and trade unions, by a limited electorate, and an Assembly of thirty-two members elected on a very low franchise, confined to men.” So that there are no nominated members, there are no official members in the Legislature. We cannot at present, so far as I can see, remove the official members from the Legislature, but I am confident that if the convention suggested here is accepted it will be tantamount to their removal, and in practice at least we shall come nearer to the practice that obtains in other constitutional countries, at any rate, to the practice that obtains in the tiny island of Malta.

The Government's attitude in this matter is made clear by the answer that was given to a question put by Khan Bahadur Hafiz Hidayat Husain Sahib on June 21, 1927. The question was—

“(1) Are Government aware of the recommendations in the Montagu-Chelmsford report that in the provincial Legislative Councils, official members should abstain from voting on subjects transferred to the control of Ministers and leave the question to the non-official members of the Council?

“(2) Will the Government be pleased to state if there is any difficulty in the adoption of this convention in the Legislative Council of these provinces?

The reply given by the Hon'ble Sir Sam O'Donnell was—

“(1) The Government have seen the paragraph of the report of Indian Constitutional Reforms referred to.

“(2) The Government consider that the convention therein suggested would not be in conformity with the present constitution.

Then there were a number of supplementary questions.

Pandit Nanak Chand asked: What section of the Government of India Act stands against this convention being established in this province?

The Hon'ble Sir Sam O'Donnell: I have not said that any particular section is against it. I have referred to the constitution as a whole.

“Pandit Nanak Chand: Is there any rule on the point?”

“The Hon'ble Sir Sam O'Donnell: No.

“Pandit Nanak Chand: Then what else is the constitution?”

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"The Hon'ble Sir Sam O'Donnell : The honourable member may study the constitution for himself and form his conclusions."

It comes to this, Sir, that although in the opinion of the Government there is no particular section of the Government of India Act which stands in the way of this convention being adopted, the whole spirit and tenor of the constitution is against it. Whatever opinion we may have about the Montagu-Chelmsford Report no one who accepts the present constitution will have anything to say to this proposition, that the Government of India Act, which lays down the constitution is an authoritative document. In moving the second reading of the Government of India Bill in the House of Commons the then Secretary of State for India, Mr. Montagu, said in one place :—

"The time, I submit, is not one in which you can be content that certain members of your alleged United Government should be 'necessarily influenced by the opinions of the Legislative Council.' What you want, if you are to launch India upon this road, is that the Government on certain subjects must respond to the wishes of the people."

At another place, he says :—

"Therefore, so far as transferred subjects are concerned, we shall have parted with our trusteeship and surrendered it to the representatives of the people of India."

I put it to the House, so long as the Ministers can rely on official votes, how can they be said to be responsible to the representatives of the people present in the Council? The Parliamentary Joint Select Committee in paragraph 5 of their report say : "The responsibility for administrative and legislative action in their own field will be fixed beyond possibility of doubt on Ministers and on the majorities of the provincial Legislatures which support them; and they will be given adequate power to fulfil their charge." There may be some doubt as to the majority which is referred to in this paragraph. This is made quite clear by another sentence in clause (4) of the report, part (1):—"The Committee are of opinion that the Ministers selected by the Governor to advise him on the transferred subjects should be elected members of the Legislative Council, enjoying its confidence and capable of leading it." This clearly means that the Minister should be responsible to the elected members of the Legislative Council and he should be able to lead the House with the help of the elected members of the Council, and not with the help of the official members. That is not all. The Select Committee did consider the question of the official block. Here is its opinion—"In the debates of the Legislative Council members of the Executive Council should act together and Ministers should act together, members of the Executive Council and Ministers should not cut each other by speech or vote... All other official members of the Legislative Council should be free to speak and vote as they choose. Not only this. The spirit which underlies this position is made by paragraph 6 of the Instrument of Instructions to the Governor—"In considering a Minister's advice and deciding whether or not is sufficient cause in any case to dissent from his opinion, you shall have due regard to his relations with the Legislative Council and to the wishes of the people of the presidency as expressed by their representative."

[Babu Sampurnanand.]

therein." Then, Sir, the Secretary of State, who must have studied the Government of India Act, made certain statements on the interpretation of the Bill. I suppose no one will say that he was deliberately misleading the House of Commons. The Parliamentary Committee, on whose advice the Parliament passed the Government of India Act, gave a certain interpretation of this Bill. The Instrument of Instructions to the Governors again gave the same interpretation and it is this, that Ministers should be responsible entirely to the House and that for the carrying out of their policy they should depend upon the elected majority which they may be able to carry with them. Certainly the official block is there. But it is clearly laid down that the members of the official block should be free to speak and vote as they choose. In view of these facts it is hard to understand what the Hon'ble the Finance Member meant when he said that the adoption of the principle of my resolution is against the Government of India Act. This matter came up before the Muddiman Committee. The minority report of that Committee says: "We are opposed to its retention on principle. It mainly serves the purpose of adding to the voting strength of the Government in the Legislature." But the majority report on the same question says: "We recognize also that in the circumstances to which we have referred in paragraph 60, Government must have the power to direct its officials as to the manner in which they shall exercise their votes upon particular questions before the Council." While the Government of India Bill was on the anvil, the Joint Parliamentary Committee, on whose advice the Parliament passed the Act, says definitely that the official members should be free to speak and vote as they choose, but the present practice is that the official members vote as the Government want them to vote. "Government must have the power to direct its officials as to the manner in which they shall exercise their votes upon particular questions before the Council." This is the present practice. There is every reason to believe that this power has been consistently followed and the power invariably made use of. I find that in the January session of the Council there were three divisions dealing with the transferred departments, in the March session there were two, and in the June session there were 11. In all, there were 16 divisions. The division lists in these cases show that on all these occasions, all the members of the official block voted solidly on one side. No sensible man can imagine that it was through an accident that all these official members thought alike and voted alike in connexion with all the different matters which were the subject of those divisions; such accidents do not happen in practical politics. People vote alike only when they form a party and receive a whip to vote that way. It is therefore quite clear that they have no freedom in this respect and they have to vote according to the wishes of the Government. Therefore this practice does not carry out the spirit of the constitution. In the circumstances the acceptance of my resolution would, I think, be simply carrying out the spirit of the constitution. This present practice is, I believe, irksome to official members also. All of them are experts in their own departments who have not studied the work of other departments. They are educated men and men of principle. But at the time of division they are compelled to vote in a definite way whether they like to do so or not. We cannot imagine that they are in a comfortable position. Again, I

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believe the present position is an extremely humiliating one for the Minister.

If time and again, a Minister carries his point with the help of official votes, people cannot help saying that he is simply a tool in the hands of the Government and sticks to his post not because he is the leader of a party whose policy and programme he carries out, but because of the salary, the prestige, and the petty patronage the Government permits to its tools. I am sure no elected member who is made a Minister and possesses a sense of self-respect would like this indictment. The simplest way of escaping from this indictment for the Ministers would be that they should show that they are responsible to the wishes of the people as expressed by their representatives in this House. This is an entirely non-party question. It does happen that a particular Minister is in office today but it must also happen that in the course of time another Minister will be appointed in his place and those who are ministerialist today will feel the need for some such convention at that time. So this is not a question of any particular party or a particular Minister. I, therefore, hope that everybody in this House irrespective of his party will support my resolution.

Raja Kushal Pal Singh: I rise to oppose the resolution. Even assuming that the convention is a desirable one, the proper time for it was when the Reforms first came into force. At that time we had two Ministers of outstanding abilities who possessed a masterly understanding of the subject of convention. They did not think fit to introduce this convention. Their attitude towards it testifies to its unsuitability. The tail end of the period when a Royal Commission is about to be appointed is not the time for making the experiment which is still untried in India and whatever may be the form of government the whole administrative machinery exists for the promotion of the well-being of the people. If with the aid of official votes the Hon'ble Ministers carry through the schemes which are beneficial to the country, they commit no sin. If official votes enable the Ministers to enter upon a policy of progressive development in the sphere of the administration committed to their care, it is their bounden duty to make use of official votes. They have to show to the Royal Commission that they have solid achievements to their credit. Before any substantial advance can be made in the direction of self-government, the British people have a right to expect a marked improvement in the administration of transferred subjects. Any attempt by the Legislative Council to weaken their position will retard the progress of the Reforms. When the question of the revision of the constitution will be taken up by the Royal Commission the success of the administration of the transferred departments will provide a ready criterion whereby the capacity of the peoples of India will be gauged. It is necessary in the larger interests of the country that all attempts to impair the strength of the Ministers should be given up. In this connexion I shall quote the opinion of the Bombay Government.

"The Bombay Government are of opinion that the main object at present should be to strengthen the position of the Ministers and to encourage the organization of parties. There is no other road to genuine parliamentary government."

Pandit Bhagwat Narayan Bhargava: When the resolution of Mr. Mukandi Lal was being discussed only a few days back, the Hon'ble the Finance Member was pleased to remark that the question of the right

[Pandit Bhagwat Narayan Bhargava.]

of women to stand for election was left to the wishes of the people and if the wishes of the people were to be expressed in a constitutional manner the Government will give them that right, and it was on that account that the official members were asked neither to make any speech on the subject nor to support or oppose the resolution by means of votes. I think on the same principle the Government will accept that if the transferred departments are to be regarded as being under popular control and if the administration of these transferred departments is to be carried on according to the wishes of the people, the only persons who should take part in voting upon matters pertaining to the transferred departments must be the representatives of the people and nobody else. I think my conclusion in this respect is neither illogical nor improper, but the thing is that the Government care neither for the recommendations of the Montford Committee nor for those of the Joint Select Committee, nor for their own enunciation of the principles involved in the existing constitution. If the divisions on matters concerning the transferred departments were to be examined, it will be found that, even in connexion with those resolutions which were defeated, the majority of the non-officials were actually on the side of the resolution moved from the non-official benches. So if the Government is at all anxious to see what the wishes of the people are in connexion with a particular matter, the votes of the official members must be excluded; otherwise it will be simply meaningless to say that the Government is guided by the wishes of the people. The Government—not only this Government but the Imperial Government also—are very fond of saying, and they do always say, that they are ruling according to the wishes of the people. That is the chief point to which I draw the attention of the Hon'ble the Finance Member. If he says that it is against the constitution, as he said the other day in answer to a question, I will ask him to point out as to how the enunciation of a principle which he made on November 1, is in keeping with the constitution of the present-day Government. I would have gone to the extent of even saying if the resolution were not worded as it is, that in no matter coming up from the non-official benches—whether connected with the reserved or transferred half—the Government members should vote this way or that. In fact, the Government members, the Secretaries or the Directors of certain departments are not there to add to the voting strength of the Government but they are there to give expert advice on matters affecting their own particular branches. Otherwise it would be meaningless for the Government to nominate only those members as official members who are the heads of certain particular departments. They could have nominated any Government servant, whether connected with any particular department or not, as Government member. But they do not do so. So the principle on which these nominations are made is that the Government members should be treated only as advisers of the Government and they should not add to the strength of the Government by voting. Then it was very ably pointed out by the honourable mover of this resolution that in the minority report of the Muddiman Committee it was specifically pointed out that this was against all principles. Therefore, I think that if, in the least, the Government cares for the popular control being exercised in the transferred half the convention must be

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accepted that the official members should not vote on matters coming before this House in connexion with the transferred departments. The question—plain and simple—before the House is do we want to be ruled by the will of the people or by the will and whims of the Government; if the former, this convention must be established, and if the latter, the Council itself should be done away with and the Executive should be allowed to rule according to their sweet will.

Khan Bahadur Maulvi Fasih-ud-din : If this resolution is really meant to constitute a sort of propaganda for the coming Royal Commission, then I whole-heartedly welcome it, and I endorse the soundness of the principle that underlies it. But if it is meant to be enforced just now, I think I should oppose it, and oppose it most vehemently. The resolution practically means that the official block should be abolished in the case of transferred departments. But situated as we are the Minister is appointed by His Excellency the Governor. He is not selected by the Council, and for this very reason the Minister has no sharply defined party at his back, and if this resolution were to be enforced the natural result will be that he would be like a football to be kicked at any time and will have no support from any quarter at all. The official block, though small, exercises a rather healthy influence on the voting so far as the personality of the Minister is concerned. The honourable mover of this resolution says that this plan which he suggests will bring us nearer the abolition of the dyarchical system. I beg to join issue with him there. I happen to remember the story of a boy who got a wound on his lip. The anxious mother asked the doctor if that wound would leave a scar, but before the doctor could reply the boy ejaculated:—"Mama, my moustaches will cover that scar." So I wish to assure the honourable mover of the resolution that the plan which he suggests will not cover the scar that is being left by this dyarchical system. It is really a system that cannot be denounced too much. But all the same, the remedy that has been suggested is worse than the evil itself. It is for this reason that I think that I have no option but to oppose this resolution.

The Hon'ble Sir Sam O'Donnell : I have two objections to this resolution. In the first place, the resolution is decidedly belated. If it is desirable that a convention of this kind should be established, then steps to establish it should have been taken at a much earlier date. The present constitution has been in force for about seven years and so far, if I remember aright, except for the putting of a single question, there has been no suggestion that any such convention ought to be established. That certainly seems to me to indicate that the Council as a whole, indeed all sections of the Council, have no objection to the present practice. If there have been members who did so object, did they not bring forward such a proposal at an earlier date? It is true that the honourable member for Benares has only been a member of this Council for rather less than a year, but the hon. member for Jhansi has been a member of this Council, I think, for nearly four years, yet, it is only today that it seems to have occurred to him that this convention ought to have been established. A convention is not a matter which can be put through in a day. As the word implies, time is required in order to establish a convention. Now, Sir, the present

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constitution will come under review before long when the Statutory Commission is appointed, and it is absurd to suggest at this late stage in the history of the present constitution that in the short period which will elapse between now and the appointment of the Statutory Commission which will review the whole constitution, a convention should be established. Therefore this resolution is at any rate very belated.

My second objection is that the resolution, whatever its merits or demerits may be, is not in conformity with the present constitution. It is quite true that the distinguished authors of the Joint Report did recommend that such a convention should be established, but that recommendation was not embodied in the present constitution. Some honourable members seem to find a difficulty about that point. They ask in what section of the Government of India Act is it laid down that official members should be entitled to vote on transferred subjects. There is of course no section in which it is so laid down, but the right of the official members to vote on transferred subjects follows from the fact that they are full members of the Council. Under the Act and under the rules they are full members, and they have the right to vote on all subjects just as other members have. The recommendation therefore of the authors of the Joint Report was not embodied in the Act, nor has it been endorsed in any authoritative interpretation of the Act. Now, whether in that respect the constitution should or should not be altered is not a matter which I propose to discuss, beyond pointing out that the existing practice is in no way inconsistent with ministerial responsibility, since the elected members are about four times as numerous as the nominated members and it is always in their power to enforce their wishes. The fact, however, remains that in the present constitution this convention does not find a place, and it cannot be established within the short time that will elapse from now till the advent of the Statutory Commission.

Pandit Iqbal Narayan Gurtu : The Hon'ble the Finance Member opposed this proposal on two grounds. The first ground was that it is now too late in the day to establish such a convention; that if a convention like this was to be established care should have been taken to do so at the very beginning. If this argument is carried to its logical extent it means that everything should be anticipated from the very first day, and if proper and reasonable anticipations are not made and attended to at the very beginning, then it becomes too late.

The Hon'ble Sir Sam O'Donnell : Not the first day.

Pandit Iqbal Narayan Gurtu : The Hon'ble the Finance Member tells us it should not be the first day, it may be on the next day. Sir, it is very difficult to define when we should begin and when it becomes too late. As human affairs work out in practice you have to give some time to watch how things go and in what way they are defective. I do not know whether the Hon'ble the Finance Member was invited as a witness before the Muddiman Committee.

The Hon'ble Sir Sam O'Donnell : No.

Pandit Iqbal Narayan Gurtu : I am thankful that he was not. For if he had been invited, he would have raised the preliminary objection that the Muddiman Committee should not go into the matters

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which had been placed before it, because a few years hence the Statutory Commission would be appointed. He would also have said that as things had not been looked into from the very beginning it was too late for the Muddiman Committee to inquire into them with the object of introducing necessary improvements in the working of the Act previous to the appointment of the Commission. It is only when a certain constitution is worked for some time that we begin to see how far it is good or bad ; and if it is bad, in what respects and how it can be improved. There must be some time given to detect how far a particular system which has been adopted is good or deficient. Now, this system has been worked for nearly seven years in this Council. We find that in spite of the fact that in the Montford report the hope was expressed, and the Joint Parliamentary Committee had also supported the view that the official block would be removed, that block in actual practice has never been removed. The official members are not free, but are invariably made to vote in a particular manner. The Hon'ble the Finance Member said that this proposal was against the present constitution because, although there was no statute explicit on that point, yet the mere fact that an official was a member of the Council was sufficient to show that he could not be deprived of his ordinary rights to vote as a member. May I ask the Hon'ble the Finance Member how is it then that their right of vote as they choose is interfered with and they are required to vote only in a particular manner? No non-official member of the Council can be ordered to vote in a particular manner. How is it that quite a different convention has been established by the Government in this respect in the case of officials? If the Hon'ble the Finance Member contends that they have the same rights as other members of the Council have, I ask him again : how is it that the official members are not allowed to ask questions as non official members are? How is it that they cannot introduce Bills and put supplementary questions as other non-official members can? There are so many things which the non-official members of the Council do but which the official members cannot do or ought not to do. If that is the case, what becomes of the argument of the Hon'ble the Finance Member that because they are members of the Council, they cannot be deprived of their right to vote, while they can be deprived of other rights without violating the spirit of the constitution? The framers of the Act knew very well what was the spirit of the constitution and the Joint Parliamentary Committee expressed the hope that the official block would be removed, although they had allowed the officials to vote. Sir, these arguments are really special pleadings which the Hon'ble the Finance Member has to advance to justify a certain evil practice, which he has for the last five years, so far as he is concerned, certainly encouraged to the best of his power. I am not surprised that he rose today to justify that practice. It is not only that the official members are asked to vote in a particular manner, but they are sometimes ordered not to vote, and like meek lambs they have to submit to that order. The other day when a resolution was moved by the Deputy President, the Hon'ble the Finance Member got up and said that the official members were not to vote, and as in duty bound the official members did not vote. So I say, Sir, that the argument that officials being members of the Council have the same rights as other members, and cannot therefore be deprived

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of that right, falls to the ground. I have already shown that there are many things which non-official members can do which the official members are not permitted to do. Then, Sir, the honourable member for the Muslim constituency of Kumaun stated that it was necessary that there should be a system of an official block because the Ministers were not elected but were appointed by His Excellency the Governor. Now, Sir, the Ministers are everywhere, in the constitutions all over the world, not elected but appointed and selected by some constitutional authority, either the King or any other authority. If that be so, then, according to his argument, in all the assemblies of the world there should be certain permanent officials who should be brought in and then made to vote. But that is not what we find in other constitutions. There there is no permanent official element which sits in the assemblies or is made to vote. I do not, therefore, see the force of that argument as to how it becomes necessary under the circumstances of our present constitution where the Ministers are appointed by the Governor that there should be an official block and their vote is absolutely essential.

Then, Sir, the honourable member for Agra district practically anticipated the arguments of the Hon'ble the Finance Member. I do not know whether he made an original contribution to the debate or whether by some mysterious preliminary process simply reflected the mind and the opinions of the Hon'ble the Finance Member as faithfully as the shallow depths of water reflect the moonday sun. I do not know that, but it seemed to me it was an anticipatory echo of the Hon'ble the Finance Member's arguments. He quoted the opinion of the Bombay Government and said that all that the Government should do at present is to encourage the formation of parties in the Legislatures. Now, Sir, I do not see how the Government can under the present constitution encourage the formation of parties. So far as I have understood the history of other countries, the parties have nowhere been formed by the Government either by any statute or by any convention. Parties have been formed in other countries voluntarily on economic and political questions. The growth of parties, therefore, cannot be encouraged by Government, nor can Government in any way help their formation. This is a matter of indigenous growth, not of any outward pressure on the part of the Government. Then, Sir, how are the parties formed? They are formed outside the assemblies first; they are formed because of the different view-points that people have with regard to many political and economic questions; they are formed on the ground of different interests. What is the one predominant interest in the country today? It is simply this: how is the country to get self-government; how is the power to come into the hands of the people from the hands of a foreign bureaucracy? Whatever may be the minor shades of differences among the various parties, there cannot be any difference of opinion on this one particular point. Therefore under the present circumstances, situated as we are, it is idle to expect that there will be various parties formed outside the Legislature to fight each other for grasping power which does not in reality exist. When the parties cannot be formed outside the Legislature as they have been formed, say, in England, how

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is it possible that we can have here in the Council those definitely formed parties? Then, Sir, what is the actual condition here today? I am sorry I have to refer to it, but that is a very important matter. Here the parties for the purposes of election are communal parties. The system of separate electorates has given rise to these two parties. It is a curious procedure which we do not find in any other constitution, namely, that by statutory sanction parties have been established on a purely communal basis. You do not find any such parties established in any country by statutory sanction. In other countries political parties are only recognized for the purpose of election by the various Governments, but no party outside the Legislature or inside the Legislature has ever been established by any rule or statute. The members that come here are really returned by two parties, the Muslim party and the non-Muslim party: that is all. Under the circumstances, you cannot expect that suddenly there will be a change in the character of the parties inside the Legislature. Here we do not have Conservatives, Liberals, Radicals, and so on. As long as the rules sanction communal electorates, it is impossible for the Government to give free scope to the country to evolve its party system on its own lines. If you want that a party system on proper lines should be evolved, what the Government will have to do is first to remove this statutory sanction of separate electorates. Then the country will be free to work out its own political organizations and you will have the formation of a true party system, not before that. I maintain that the present constitution is not a help in developing the party system on any political or economic basis. It is on the contrary positively discouraging the formation of parties on sound lines. Thus it was idle for the Raja Sahib to quote from the Bombay Government their opinion.

I hope I have shown that it is not yet too late to establish a convention. The Hon'ble the Finance Member laughs at it. I do not see what there is in it to laugh at. Better late than never. If we have been foolish in the beginning, if only the Hon'ble the Finance Member will admit that he was mistaken in rigidly enforcing this system of the official block, why is it too late now for him to start a new practice and to observe its effects. Why should he not have a little courage, a little of that spirit of scientific investigation even in practical politics which at times is necessary and which is the mark of the true statesman? Why should he not try to introduce this and see how it works? Why, if in the course of a year we are able to see that the administration goes on perfectly smoothly, that the heavens do not fall down if the officials are not made to vote in a particular manner, shall we not be strengthened in our position to lay claim before the Statutory Commission that this convention has been tried and we have found that the machinery of government runs perfectly smoothly? Where is the harm in trying an experiment and introducing a convention? There is no fixed time for it provided we are satisfied that the system that we have followed so far is wrong in principle and inconsistent with the true spirit of the constitution. I know the Hon'ble the Finance Member is not yet converted to the view that it is against the spirit of the constitution, but we on this side of the House are convinced that it goes entirely against the spirit

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of the constitution which aims at the introduction of responsible government. It may not be full but only partial responsibility, but even for the successful experiment of this partial system of responsible government it is necessary that there should be all those circumstances present which go to make responsible government. Here you have taken away all these factors and yet you allege that you are trying the system of partial responsible government. How can you do it?

The Hon'ble the President: I am sorry to interrupt. But may I ask the honourable member if he proposes to take much longer? If so, we will adjourn now. I forgot it was Friday. It has just been brought to my notice.

Pandit Iqbal Narayan Gurtu: I do not propose to tire the Council for long.

The Hon'ble the President: It is not that—the honourable members are, I am sure, all interested in the speech. But, it being Friday, we should have adjourned earlier. The honourable member can continue his observations when we meet again.

The Council here adjourned for lunch.

After the recess—

Pandit Iqbal Narayan Gurtu: I will not take more than a minute of the time of the Council. I shall only deal with the argument that unless parties are definitely formed, and unless the Ministers are selected from the party which is definitely in the majority, unless that time comes, it is impossible to take away the official vote. This argument is based on the assumption that a time will come when in our Legislatures we shall necessarily have the rigid party system that is in vogue in other countries; again, it is assumed that the House will be divided only into two definite parties, of which one would be in a majority and the other in a minority, and then it would be easier for the Governor to select Ministers out of the majority party. The machinery, it is said, will then run smoothly because the Minister will be sure of the votes of his party. What are the likelihoods of the case? First of all, what do we find in other countries? Excepting England, perhaps, and one or two other countries, we find that in the legislatures there are not only two parties, but more than two parties. Take France for instance. There it is not the party system but the group system. And so it is in many other countries. Take England itself. What is the tendency there? There, it is true, that in the beginning the House was divided into two parties. But now you find that there are more than two well-recognized and well-organized parties—at any rate three definite parties in the House of Commons today, Conservatives, Liberals and the Labour party. And there is every chance of the Labour party being further sub-divided into two, perhaps Communists and the Ordinary Labour party. So that in England itself, which was the home of parliamentary government, where for a long time we had the constitution based on the two-party system, even there we find that there are more than two parties. So far as I can see, the probabilities in these provinces are that we shall not be confined only to two well-defined parties, but probably

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we shall have more than two groups. Under the circumstances what is going to happen? Does it mean that, in future, there will always be officials in the House and their vote will always be thrown in at the time of division? That means that the possibilities of our having full responsible government are far remote. I hope it will not be so. I do not think that on any side of the House it is believed that there will never be a system of responsible government in this country, if we have more than two parties. In case we are going to have more than two parties in the Legislature, how is the Minister to be selected? The only proper way to do it would be that the Minister who is selected should be a person who by his capacity, by his experience, and by his intelligence, will have the moral hold of the majority of the House which may contain more than one group. So that the argument which is always hurled at our face that unless there is a party system formed in the House, it is impossible to remove the official *bloc*, has not much force. Sir, I do not propose to take the time of the House any longer and I conclude with these remarks.

Khan Bahadur Hafiz Hidayat Husain: The resolution that has been moved by my friend to the right is constitutionally so very important that everyone interested in the future constitution of the country must naturally feel greatly drawn to it. We work under a constitution—the Government of India Act and the parliamentary procedure—the essence of which should have been, that in matters relegated to the governance of the Ministers, non-officials alone should have voted, because it is only so long as Ministers have and can command the confidence of the non-official members, so long alone should they legitimately retain their seats in the Government benches. But it is one of the anomalies of our constitution that even although some Ministers may not retain the confidence of the non-official members but still there is nothing in it which could compel them to relinquish their seats. Last June, therefore, I put a question on this subject which has been referred to by the honourable mover. I confess that I do not at all feel satisfied with the answer which the Government then gave, or the reasoning for the procedure which the Hon'ble the Finance Member has today given, and I still think that the convention is sound in theory and that non-official members alone should vote in matters covered by the terms of the resolution moved by the honourable mover. Because this constitution has been working for the last seven years and nobody has drawn attention to this fact is no argument for saying that we should not resort to a practice more in accord with parliamentary procedure, nor do I think that the abstention of the official members from voting in matters of transferred departments is one that will come in conflict with the Government of India Act. But, Sir, there are two considerations which lead me to oppose this motion. In the first place, I asked myself if we have developed that sense of responsibility under which we can subordinate smaller interests to the broader interests of the country. Sir, I do not think that instances are lacking from which the inference would be irresistible that that sense of responsibility has not yet awakened in us. This is unfortunate, but the facts are there. Secondly, in constitutional countries, voting is always done on party lines, here votes are cast

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on communal lines and I should not have adverted to this point had it not been for the reference made to it by my distinguished co-citizen the honourable member for the University for whose sacrifices in the cause of education and other matters connected with the advancement of the country I have the greatest esteem and regard. It will be admitted and I suppose my friend did admit it, that parties do not exist in this country. And why? Because he said that parties are formed outside the Legislatures and where they are so formed, only a small fraction of that party is sent to the Legislatures in order to fight their party battles. That implies that a party has got a cut and dried scheme of political views, and the political views always mean views that have regard for the larger interests of the country irrespective of the smaller considerations. In the elections in England—I witnessed two elections when I was there—fighting takes place not because a candidate belongs to a community but because he belongs to a certain party and subscribes to the principles of that party. The candidate goes out canvassing and lays out *not* his programme *but* the programme of his party. That party alone gets the majority whose programme appeals to the electorate. And because that party alone commands the largest majority the Ministers are chosen from that party under the prerogative of the Crown in order to effectuate the policy which has appealed to the electorate. What is the condition unfortunately prevailing at present in India? Here the conditions prevailing demand that communal considerations should be the determining factor in the formation of electorates for all elected bodies. Let me assure you, Sir, that I am not one of those who subscribe to the principle of separate representation on a communal basis, as an end in itself. I have said this over and over again. I am a man of democratic views belonging to the most democratic religion. Therefore an institution like this is against my natural instincts. But I am also a practical man. My friend Mr. Gurtu has stated that separate representation is a block to the formation of parties on political lines. Let us analyse this view. Here, Sir, India—I will only refer to these provinces as I may not know the conditions prevailing in other provinces—this province is composed of 14 per cent. only of Muslims and the rest of the people are non-Muslims; three crores of them are depressed classes and a little more than a crore belong to the higher castes of Hindus. What effort has so far been made to develop all the components constituting the population of this province into one homogeneous whole. May I ask them, how could this province be said to advance on party lines, that is with definite political views, if only one section of the community were to advance politically to the detriment of the rest of the community. As I have said before, Sir, I do not at all subscribe to the principle of separate or communal representation. Institutions like these are mere make shifts devised temporarily for temporary exigencies and disappear by mere efflux of time. But as long as these conditions exist, conditions that necessitate the existence of this separate and communal representation, to secure the political advancement of the community for whose benefit separate representation has been devised, till that time, it is not, I submit, possible to say that formation of compartments on party lines is a possibility. My friend the learned representative of the Allahabad University says that democratic institutions do not develop simply because the principle of communal representation

exists. But this very communal representation was started as long back as 1909 and the question arises "how is it that this communal representation has been so whole-heartedly cursed since the introduction of the dyarchical system in the form of government?" The fear of the Muslims is that because authority is being transferred from the hands of Europeans to the hands of Indians, the Muslim is going to be excluded from a share in that authority. That fear may be well founded or it may not be so. I hope it is not. But the fear is there; and things have happened that give occasion for that fear. My friend Mr. Gurtu probably knows how many Muhammadans have been returned in the electorates that are even to-day joint. We have seen what has happened in the Allahabad University. We have seen what happened in the new Agra University. But, Sir, I could easily ask any sharers of the views of my friend Mr. Gurtu to cite instances in which Muslims coming from separate electorates have done anything which might militate against the advancement of the province as a whole. And I could equally confidently ask anybody interested in this to read the literature to be readily found in the Indian daily at Allahabad and equally in other papers which have been catered when the elections and the bye-elections were on. I may also refer to what is going on even today at Bareilly. Well, Sir, if things like this go on, I am afraid we shall be retarding the progress of the country for years to come. As long as these conditions exist and as long as there is a party hurling abuse at the Muslim and the Muslim retaliating, till then we could never develop any sense of responsibility, or hope to form parties on political lines. I do not think that I should labour this point any further. Probably I would not have referred to this point at all had it not been for my friend, the representative of the Allahabad University, who made a reference to it. Thus two tests must determine this question at present. The sense of responsibility which excludes smaller interests for the larger interests of the country and secondly the elimination of petty communal matters. As long as we fight on the floor of this House over such petty things as appointments of two Muslim *kurkamins* in the Bulandshahr district till then the world will laugh and laugh quite rightly at us. Till then it cannot be said that we have developed the requisite sense of responsibility for after all the differences between the two communities hindering the progress of the country are political and economic and not religious or social. Separate representation has therefore very little to do with the differences existing today. Once the Muslim has advanced educationally and politically to the level of the other advanced communities of the province and once we Hindus and Muslims begin to look at things from a broader and higher point of view, the need for separate representation will automatically disappear and we will have formed an electorate on right party lines. These things being non-existent today, I oppose this motion.

Babu Bhagwati Sahai Bedar : I move for the closure.

The Hon'ble the President : A motion has been moved for closure. Honourable members will remember that yesterday on the resolution which concerned the appointment of selection committees in the transferred departments, the House took about three hours to debate it.

[The Hon'ble the President.]

To-day we have discussed this resolution only for an hour and a quarter. The resolution has raised a very important constitutional point and honourable members should get an opportunity of expressing their views. Nothing has been said on behalf of the Ministers yet, to whom, I dare say, the question is likely to be one of life and death. In the circumstances it will be an infringement of the right of reasonable debate if I put this motion to the House at this stage.

Khan Bahadur Mr. Masud-ul-Hasan : This resolution has raised a very important constitutional point. To my mind this is only a step in aid of the resolution that was moved in this House yesterday with a view to put the Ministry into a tight corner. The constitution as it stands gives as much rights and privileges to the official members as are enjoyed by the elected members. At this late hour in the experiment of the working of the constitution it is too much to expect that any portion of the House should be deprived of the rights and privileges. Members whether elected or nominated have got certain responsibilities and are expected to exercise their rights in the best manner they can. It was pointed out by my friend the Raja Sabib, and rightly too, in the earlier part of the debate that why such a beneficial suggestion was not made at the time when two leaders of public opinion were occupying the position of Ministers in these provinces. I am sure they realized fully that a convention of this nature would hamper the progress of the various departments under them and they might have to face difficulties if such a convention was approved by the House. I believe even those liberal-minded Ministers on various occasions carried motions with the support of the Government block. Why should that privilege be denied to the present Ministers who are not in the good books of the opposition? I understand that at that time there was hardly any opposition block of the name of opposition and if such a convention was established at that time experience would have taught us the advantages and disadvantages of its working. It has been suggested that party lines are essential for the working of a democratic constitution. On this point I do not quite agree because there are democratic legislatures which without party system have worked as successfully as the British Parliament. Whether you call them parties or call them political groups, the real question to be determined is whether the ideals of the people in this country are such that on so-called national questions they can agree. In India which is divided by castes, creeds, cultures and ideas, both political and social, is it possible to conceive that political groups such as you come across in France and other countries are possible in the near future. To my mind at present we cannot conceive of establishing such groups, not to speak of well-defined parties. In the absence of such groups or parties, I think it is absolutely essential that at least for the present an impartial block, whatever you may call it, must remain in the legislature, so that in case of differences when a majority is to jeopardize the interest affecting a minority, that block should come forward and be the arbitrator in the House. (Hear, hear.) I do not refer to that minority alone which might be in the mind of the member who called 'Hear, hear.' I refer to all important minorities, such as zamindars, etc,

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A member: Question.

Khan Bahadur Mr. Masud-ul-Hasan: Call it question—I do not mind. Zamindars, on account of not having an organized party of their own, have suffered of late most bitterly at the hands of a party formed against them during the last Council when the Tenancy Bill was being discussed in the House. You have got several interests to be protected. How under these circumstances can we at this late hour, in the evening of this experiment, establish this convention and ask the official block to take part in the discussions only but not to give effect to their opinions by recording votes. So far no honourable member has pointed out how their opinion in any way had adversely affected the legislation or the business of this House. It is very well to discuss high sounding theories, but it is difficult to translate them into practical actions. Because the official block or the nominated members come forward to support the Ministry, therefore that support should be disapproved. Well, unless some one is prepared to point out what mischief has really been perpetrated by the Ministry on any occasion by the support which they have got from the official block, the suggestion embodied in the resolution will not do. Sir, during the transitory period through which we are passing it is necessary that those who have got some experience of the administrative difficulties in this country, should be with us in order to show how the constitution should be worked. Official members are after all in a minority. It is open to the whole House to accept their views or not, and if a majority which is more than three-fourths of their number is so weak as to succumb to their influence, then I am really sorry for that sense of public spirit which we possess.

I would not like to refer to the question of separate electorates at length, as this is a very debatable point; it is a question which had better be left to the time when the Royal Commission comes; it will then be pointed out what are the merits and demerits of the scheme. I do not think it was at all necessary to bring that question under discussion at present. The joint electorate system is an evil, I admit, but an evil of necessity. If you only show fairness to each other; if you only deal in a spirit of brotherhood; if you only realize that pains are as painful to others as to you; if you only realize that other human beings have as much a right to live as you have, then perhaps this question can be solved easily. However much we may profess from the house top the high ideals of democracy or the noble ideas of brotherhood and unity that alone will not do. Let us transform those ideals into practice and show how fairly and equitably we can deal with our fellow-beings who do not belong to our caste or creed. Then will be the time to give up those safeguards which I think are at present absolutely essential even from a national point of view. With these remarks I oppose the motion.

The Hon'ble Nawab Muhammad Yusuf: The honourable mover in a very able speech has no doubt made out a case from his own point of view, that is to say from the Swarajist's point of view. That is practically what they have been preaching outside they are trying to-day to preach inside the Council. There seems little difference of opinion as to the question whether dyarchy is desirable or not. The

[The Hon'ble Nawab Muhammad Yusuf.]

honourable mover himself has made it perfectly clear that my honourable colleague has said so in so many words that he is not particularly enamoured of it. The honourable mover has also shown sympathy with the Ministers, but unfortunately that sympathy is of little use to us. Instead of developing the point which might have made it absolutely clear to this House how we are hampered in our activities, he has pressed this argument in the opposite way; and he has said that the best thing is to take away the votes of the officials, has laid emphasis on the fact that we must now proceed to create a convention. I must say it is too late in the day now. This dyarchy has been tried for the last seven years and no attempt has been made in any legislature to create this convention. A convention can only be created with special reference to a particular constitution. Conventions cannot be created that do not fit in with a constitution which does not tally with the ideals which those conventions symbolize. I submit that the present constitution does not admit of this convention being created; there are various administrative, political and other difficulties in the way. If the honourable member were to wait a little longer, and if he were to wait until the Statutory Commission came, and if he raised this point before it and said "here are the Ministers who are hampered in their activities, here are the difficulties in the way of forming parties, ministerial or otherwise, and unless we have a form of Government which is fully responsible to the country and unless we have a constitution under which we can develop parties on definite lines, based upon definite principles and definite policies, we shall not be satisfied," his object would be sound. I will simply repeat that, bearing in mind the peculiar conditions of the constitution, and bearing in mind that the Statutory Commission is in sight and the honourable members, not to mention the public, will have sufficient opportunities of placing their views before that Commission, it is hardly fair that the honourable members on the opposite benches should make the extraordinary request embodied in the resolution.

Mr. E. Ahmad Shah : I rise to oppose this resolution. I shall briefly present before this House five points which may be considered by the honourable members of this House, before expressing any opinion on this resolution. In the first place, we are asked to accept a convention, namely, that official members of this House should abstain from voting on matters concerning the transferred departments; but I find that the convention which has so far existed in this Council is in the opposite direction, that is to say the officials have always voted on all matters in the Council. My second point arises from keeping in view the type of Government which exists today. It is a dyarchical Government. This Government, as we all know, has two departments, reserved and transferred. Both the departments are worked together. We have never found that the transferred departments are kept aloof and separate from the reserved departments, that the opinion of one set of officials is not required by the officials of the other set. On the other hand we find that these two departments of the Government are working together. Votes are exercised by the officials on matters concerning both the transferred and reserved departments. Therefore, it is not justifiable on the part of this House to ask the official members to

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abstain from voting on matters that pertain to the transferred departments. My third point is taken from the present state of affairs, from the party politics that exist both inside the House as well as outside. If the political position of the different parties of this House had been of such a nature as to have lent a united support to all vital interests of the country, then certainly I would have been the first one to come forward for the acceptance of this resolution. But I find that the House is so hopelessly divided into several factions, diverse parties and groups, that whenever any vital matter is taken up, no single party is in a position to settle the question in a decisive manner, without getting the support of the official vote. Therefore, divided as we are, both inside the House as well as outside, in our political life, I do not think that the time has come when we can dispense with the official votes even on matters concerning the transferred departments, and support this resolution. My fourth point arises out of the way in which officials have so far looked after the affairs of the people of this province as well as of the country in general. We find that it is the official body which is the guardian of the State, we find that it is the official body which protects life and property of the people, we find that it is the official body which is responsible for the present peace and prosperity in the country; if the official support, control and guidance were withdrawn, life and property would not have been safe under the present conditions. Therefore, I would ask the members of this House not to deny the right of voting on all matters, more particularly on matters concerning the transferred departments, to this official body which is working for the good of the people as a whole. My last point is that this convention has nowhere been established. The present convention, i.e., the right to vote on matters concerning transferred departments by the official members of the Council, has been working for the last seven years. I do not see why we should start on this new venture and ask for a special convention. With these words I oppose the resolution which has been moved.

Hafiz Muhammad Ibrahim : I am tempted to speak in favour of this resolution by some of the speeches that have been made on it. As to the remarks made by the Hon'ble Minister for Local Self-Government, I submit that he seems to have assumed that the principle involved in the resolution before this House is quite sound. The only objection that he has against it is that it is too late or it is too early in view of the fact that the Statutory Commission is coming to consider and revise the constitution of this country. As these two things have already been talked upon, I shall leave them. The honourable member from Cawnpore has advanced as a reason against this resolution that it is necessary to maintain the Government block as long as we require it to protect the minorities against the majorities. If I have rightly understood him I submit that that is the sum total of his speech. He was referring to the necessity of maintaining separate institutions. He spoke of the necessity for the Muslims of India to keep on the side of separate electorate. What I gathered from his speech is that the official block is needed or the protection of the minorities.

Khan Bahadur Hafiz Hidayat Husain : I never said that.

[Nov. 4, 1927.]

Hafiz Muhammad Ibrahim: If it is a fact that he never said what I understood him to say, then there was no necessity of introducing the element of separation in his speech on this resolution. I admit that unfortunately there is much tension at present among the different sections of the people of this country. There are many deplorable things, and it is admitted on all hands that they are undesirable, and such as are not wanted for a moment. It is a fact that, so long as they exist and remain amongst us, the advancement of this country has to stand still. We cannot make any advance in the country unless we root out these things from amongst us. The only reason that is put forward in favour of the necessity of retaining this separatism is that as long as circumstances remain as they are and as long as these things do not disappear, we need separatism; but it has to be considered how will it be possible for us to do away with these things which are found amongst us at present, which are hindering our progress onward, which are sowing distrust amongst us and making us fight with each other. How long shall we have to wait, and what remedies will help us in bettering the present situation? My idea is that this very separatism that has been talked upon is responsible to a great extent for the present condition of things. As long as we stick to it and as long as we maintain and stick to the idea that we require to keep ourselves aloof from each other, we shall not be able to better the condition of our country. It is highly necessary in the interest of the country that we should unite. I say that if a Muslim is to remain a Muslim in India, it is highly necessary that he should consider himself an Indian (loud applause) and do away with all this separatism. Well, Sir, may I ask how many times in the history of our country this Government block to which we adhere simply to protect ourselves, has been of any use to us and has assisted us in matters which were exclusively meant for our benefit? I will cite an example here. I had not the honour at that time of being a member of this House, but if I recollect correctly what I read in the newspapers, sometime during the lifetime of the last Council the District Boards Primary Education Bill was introduced and I find that the Muslim members wanted that there should be some provision in the Bill by which it might be possible for Muhammadans to acquire religious education in the maktabs and schools which would be established under that scheme. I remember that it was opposed by some members of this House and the Government block never sided with the minority. They never came to protect the very minority which was relying upon them, and considered them to be their patron and the only source through which it could keep itself within the four walls of India. What happened was that they kept themselves neutral in the matter. They neither voted for nor against the measure, and the object of the Muhammadans was not achieved. The separatism for the sake of which Muhammadans are doing so much and the support with which they have always tried to oblige the Government proved of no use. Many examples can be cited. I do not boast that I can speak *ex tempore*; I had no intention of speaking upon this subject and I did not know that this question would be introduced in the debate, I never prepared myself to speak. If I had known this, I would have come prepared and quoted many examples before this House where this separatism has done a lot of injury to the Muhammadan cause itself. As I was induced to speak on this resolution on account of

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the speeches of some honourable members who took part in the debate, I have quoted only one example to substantiate my remarks. I recollect another and perhaps that is the ever memorable example which would enable us to know whether the Government has ever supported the Musalmans: that is the example of the partition of Bengal. When Bengal was partitioned, the Muhammadans thought and considered that the measure which the Government had taken was beneficial to their interests and they supported it and all along remained with the Government against that agitation which was started in this country for the annulment of the partition. Some time after, the Government, without consulting a single Muhammadan or caring a bit for those who had been all along with them, annulled the partition. The substance of my speech is this that in our history we do not find that the Government has ever been able to benefit us, to protect us, or to help in any way.

Another thing which was said by my honourable friend, Mr. Masud-ul-Hasan, is that the zamindars are in a minority and therefore they want protection and for such reasons also it is necessary that this convention should not be accepted and recommended to the Government. I think if I deny that I am standing and speaking at this time, I shall be as false as the argument advanced by my learned friend that the zamindars are in a minority. I think they are not. How, Sir? The obvious reason which leads me to think so is that I find that all the three ministers in this House belong to the zamindar class. Are they not the representatives of the zamindar class? If it is a fact and if it is true that those persons are selected as Ministers who are considered by the Government to command the confidence of the majority and if the Ministers are such persons and represent the people who are in a majority in this House, then it must be assumed that we have got a majority of zamindars in this House. I think this reason does not hold good.

It has also been said against this resolution that there is no parallel among the constitutions of other countries for such a state of affairs as has been suggested in the resolution. As to this I shall very briefly submit that since the advent of the reforms in India there are so many things before us for which we do not find any parallel in any other country or in past history. If this is the state of affairs with us, it is highly necessary that we should bring such measures before this House as we deem necessary for getting rid of those evil things with which we are surrounded at present specially when we have such a bad constitution as ours. I hope the House will excuse me for having taken up, or rather wasted, their time by making these humble remarks on this subject.

I think I must close my speech and in doing so I shall make an appeal and request to the Hon'ble Ministers of our Government who are present in this House. They are Indians, and I am quite sure that they have as much sympathy and as much love for our country as we profess to have. This measure is really intended for the betterment of this country, and I hope they will also accept it keeping in view the good of the country.

[Hafiz Muhammad Ibrahim.]

I would say one sentence more. The Hon'ble Minister for Local Self-Government seems to assume that this is simply a measure of the Swarajists. As far as I have been able to see, Mr. Gurtu, an honourable member of this House, who belongs to the Nationalist party, also supported this resolution. In view of this fact, perhaps it does not lie in the mouth of the Hon'ble Minister to say that it is simply a Swarajist measure and is one of the tactics of the Swarajists against dyarchy and against the Ministers.

Chaudhri Vijai Pal Singh: I move for the closure.

The Hon'ble the President: I do not know how far it is the wish of the House to continue this debate. As this is the second time that a closure has been moved, I should put the question to the House.

The question, that the question be now put, was put and the Council divided as below:—

Ayes, 34; Noes, 46.

Ayes.

Babu Lakshmi Narayan Garg.
 Babu Ganesh Shankar Vidyarthi.
 Mr. A. P. Dube.
 Pandit Rahas Bihari Tiwari.
 Babu Sapurnanand.
 Babu Bhagwati Sahai Bedar.
 Rai Bahadur Lala Jagdish Prasad.
 Chaudhri Vijai Pal Singh.
 Chaudhri Dharamvir Singh.
 Pandit Nanak Chand.
 Thakur Hukum Singh.
 Thakur Gulab Singh.
 Lala Nemi Saran.
 Chaudhri Badan Singh.
 Thakur Sadho Singh.
 Pandit Brijnandan Prasad Misra.
 Babu Kishori Prasad.
 Pandit Mool Chand Dube.

Pandit Iqbal Narayan Gurtu.

Pandit Devata Prasad.
 Pandit Venkatesh Narayan Tivary.
 Babu Kavendra Narayan Singh.
 Thakur Shiva Shankar Singh.
 Rai Bahadur Thakur Hanuman Singh.
 Bhaya Hanumat Prasad Singh.
 Pandit Badri Dutt Pande.
 Rai Bahadur Pandit Sankata Prasad Bajpai.
 Babu Mahendra Deva Varma alias Lalji.
 Mr. C. Y. Chintamani.
 Hafiz Muhammad Ibrahim.
 Rai Bahadur Lala Mathura Prasad Mehrotra.
 Kunwar Bisheshwar Dayal Seth.
 Raja Jagannath Bakhsh Singh.
 Rai Bahadur Babu Vikramajit Singh.

Noes.

The Hon'ble Sir Sam O'Donnell.
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
 The Hon'ble Rai Rajeshwar Bali.
 The Hon'ble Thakur Rajendra Singh.
 The Hon'ble Nawab Muhammad Yusuf.
 Kunwar Jagdish Prasad.
 Mr. H. S. Crosthwaite.
 Mr. Panna Lal.
 Sir Ivo Elliott, Bart.
 Mr. J. H. Darwin.
 Mr. H. A. Lane.
 Mr. R. L. Yorke.
 Mr. R. Oakden.
 Mr. A. W. McNair.
 Khan Bahadur Chaudhri Wajid Husain.
 Mr. E. L. Norton.
 Mr. F. F. R. Channer.
 Mr. R. J. S. Dodd.
 Col. R. F. Baird.
 Mr. A. H. Mackenzie.
 Mr. G. Clarke.

adur Mr. Masud-ul-Hasan.
 ad Shah.
 Charana.
 Pal Singh.

Lieut. Raja Kali, Charan Misra.
 Rao Sahib Kunwar Sardar Singh.
 Raja Sri Krishna Dutt Dube.
 Rai Bahadur Babu Abhinandan Prasad.
 Sirdar Nihal Singh.
 Rai Bahadur Chaudhri Jagannath Prasad.
 Rai Bahadur Babu Mohan Lal.
 Kunwar Surendra Pratap Sahi.
 Haji Abul Qayum.
 Saiyid Tufail Ahmad.
 Khan Bahadur Shaikh Zia-ul-Haq.
 Lieut. Nawab Muhammad Jamshed Ali Khan.
 Nawabzada Muhammad Liaquat Ali Khan.
 Khan Bahadur Hafiz Hidayat Husain.
 Maulvi Saiyid Habib-ullah.
 Khan Bahadur Shah Badre Alam.
 Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
 Khan Bahadur Hakim Mahbub Ali Khan.
 Khan Bahadur Maulvi Fasih-ud-din.
 Shaikh Muhammad Habib-ullah.
 Mr. St. George H. S. Jackson.

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Rai Bahadur Babu Mohan Lal : As far as the spirit of this resolution is concerned, I quite appreciate it. I no doubt want that the Ministers should be responsible to the Legislature and to nobody else. This should be our aim, this is our aim, and I fully appreciate this point and this principle. But we should see whether under the present constitution it is possible to accept this convention which is being sought for in this resolution. Neither in the Government of India Act, nor in the rules of business is there such a convention allowed that the officials should not vote with the Ministers concerning transferred subjects. They are members and full members. As members they have a right to vote. They may of course vote with the Ministers or against them. The law does not require them to always vote with the Ministers on all points in which transferred departments are concerned. The law does not bind them to vote always for the Ministers—they can vote at their own sweet will as they please. Had this resolution been so framed as to be a recommendation to the Statutory Commissioners to consider the question of this convention for not allowing the officials to vote, it would have been all right in my humble opinion but this resolution is rather premature at this time. After the working of the reforms for about five years, a committee was appointed, and presided over by Sir Alexander Muddiman to consider their working, and in that committee almost all the important politicians were examined and gave their opinions, and, if my information is not incorrect, no member examined there brought this point out that there is a necessity that this convention should be established. Nothing about the officials not voting was brought out, although the question of the official block in Council was touched upon. The second point that strikes me is this, that after having worked the reforms for seven years, what is now the urgency that this convention must be at once accepted? No strong case has been made out. After working this constitution for seven years how and in what way has this convention suddenly become necessary? I think we should, therefore, wait for some time more, and we may lay this before the Royal Commission. That would be the proper time to discuss this matter. In other legislatures this convention has not been sought and has not been accepted. Then why should we adopt this unique course, when it has not been accepted anywhere else? We should not without good reason depart from the ordinary course. I admit that the present constitution is bad, and I agree with my friends who denounced the constitution, but we should wait for the proper time to change the constitution. I, therefore, oppose this resolution. I am sorry to find that joint electorate and separate electorate and communal matters have been introduced in this debate which were not warranted by the wording of the resolution and should not have been dragged in. With these words I oppose the resolution.

Khan Bahadur Shah Badre Alam : The reforms have been in existence for about seven years and there has not appeared any urgent necessity for such a measure so far. This is not the proper time to advocate such a convention. We should look from a wider point of view and see that whatever we do will bring about unity between the Hindus and Muhammadans, and unity in the whole country—unity without which no further reforms will be possible, unity which is essential to peace and progress. Any resolution or motion at this

[Khan Bahadur Shah Badre Alam.]

moment in the House which in any way endangers these feelings of unity is sure to be detrimental to the country. These demands and measures always create suspicion in one section of the country that their rights are being curtailed. I say rights, because the Congress-League decided that any resolution which was opposed by a particular community on the ground of its being against that community will not be considered. For reasons best known to the authors of the Reforms this convention was not introduced. Our only safety at times against communal questions is the official block. Why should we now try to debar the official members from voting? A Royal Commission is coming to the country and certainly anything which we find is not good can be placed before that Commission. The unity which is so much desired is the first essential and should not be endangered. My friends who have spoken before me have introduced communal questions. I say this is not the proper place, and this is certainly not the time to discuss these things. I think any change such as is now sought will be detrimental to the interests of the country, and for this reason, and for other reasons which I do not wish to bring forward at this late hour, I oppose this resolution.

Here Rai Bahadur Babu Vikramajit Singh, one of the panel of Chairmen, took the Chair.

Saiyid Habib-ullah : I rise to say a few words on this resolution. The change which is now sought to be made is of a very unusual character, as it seeks to debar the officials from voting on the transferred subjects. It was not thought necessary till this resolution, neither in this Council nor in any other legislature in the country. A man of the position and ability of my respected friend Mr. Chintamani was the first Minister of this Council, and if this convention was necessary for the good administration of the country, I think he would have pointed this out to His Excellency the Governor, that it was necessary that the officials should be debarred from voting on a motion of no confidence against a Minister. So I submit that there is no weight behind this proposition.

Besides this, I do not think that on the eve of the arrival of the Statutory Commission we should start a thing like this. I do not agree with my friend Shah Badre Alam that this has anything to do with communal relations in the country. But I do submit that there is something else behind this resolution which I have not been able to find out from the speeches which have been made either from this side or that side. I do not think that such a resolution should be accepted at present. It should be put before the Commission by the non-official members of the House and it should be seen what the Commission has got to say on this question.

Mr. C. Y. Chintamani : With apologies to the honourable member of Pilibhit and Kumaun and with no desire to pose as an extempore speaker I can make a truthful confession that I did not desire to take part in the debate unless direct personal references were made from any one of the occupants of the Treasury Bench which should have compelled my intervention. Now, however, that it has been decided by a majority vote that the debate is to be prolonged, I take the liberty of saying a few

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words both by way of personal explanation for the past as well as in reply to some of the arguments that have been put forward by honourable members before me.

So far as the personal references were concerned the ball was set rolling by the first speaker who followed the honourable mover—I mean the honourable and noble member for the district of Agra; and what he said has been repeated by several other speakers. Let me at once state that I consider those references to have been both, relevant and legitimate and that not only have I no complaint to utter against either the substance or the language of those references, but I cordially welcome them. When the first Council met within a few weeks after the promulgation of the Rules and the holding of elections under the Act of 1919 and when the Ministers were the first Ministers under the Act, the first thing which I wish to point out is that from the beginning to the end there was no motion brought forward, there was no desire expressed by any section or any member of the House to have this convention established. What the then Ministers would have done if such a motion had been put forward or such a suggestion had been made must be a matter of speculation, and I can only ask the House to take firstly on trust from me on my behalf as well as on behalf of my absent colleague Pandit Jagat Narayan and in the next place to draw an inference from the proceedings of the Council as to what those Ministers would likely have done if such a proposal had been brought forward. The honourable member who has last spoken referred to a vote of censure on the then Ministers—I could not catch exactly what he said. I caught the words “vote of censure.” But I wish to point out to him that in that period there was one and only one notice of motion which was of the nature of a vote of censure.

It stood in the name of Syed Alay Nabi, the then Muslim member for Agra for a reduction of Re. 1 from my salary. It was in March, 1923. But when the mover was called upon by the President he was not found in his place. There was an occasion soon after the Council met; that was on February 21, 1921, when the then member for the district of Allahabad, Pandit Radha Kant Malaviya brought forward a resolution to fix the salary of Ministers at Rs. 3,000 a month. The mover as well as the speakers who followed him disclaimed any intention of even an inferential expression of want of confidence in the then Ministers. They pointed out that it was not a motion for the reduction of salary, but it was a motion provided for by the Act and the rules under the Act that the salary of Ministers would be the same as the salary of the members of the Executive Council, unless the Council itself fixed it at a lower figure. All the same it was common knowledge then and I can appeal to your personal knowledge, Mr. Chairman, to corroborate the statement I make that the then Ministers absolutely decided that either if that motion was carried or if it was only defeated by the strength of the official vote, they had made up their minds to quit office the very next day. And you remember, Sir, that the motion was defeated by, I believe, 78 against 15

The next occasion on which there was a motion before the Council which the Ministers decided to construe as a vote of want of confidence if it was passed, related to the taxation clauses of the District Boards Bill.

[Mr. C. Y. Chintamani.]

That came up before the Council in the first week of November, 1922. I would again ask honourable members to refer to the official proceedings of that day and see how many votes were on the side of the Ministers and how many were against them, how overwhelming was the elected majority on the side of the Ministers even after the deduction of the official and nominated non-official votes. Here, again, I will not ask the Council to accept my uncorroborated testimony. I will ask them to go to one who is not a member of this Council and who cannot be accused of being interested in driving the Ministers into a tight corner—I mean Pandit Jagat Narayan—for the confirmation of the statement I make, that if on that day the majority which we had was only composed of official and nominated non-official votes we had absolutely decided to quit office. But assuming for the sake of argument—and I forego would ask you not merely to assume for the sake of argument but to accept as a matter of fact—that the then Ministers were wrong, that although there was no invitation to them, formal or informal, direct or indirect, from any quarter of the House, to see that no official voted in any matter or measure relating to Transferred departments, they might themselves have come forward and said “No official shall vote.” Assume they were wrong, and as I have already said, take it as a matter of fact, if you will, that they were wrong. But as the Finance Member in a mood of generosity reminded me in a discussion earlier this year in this hall, we live and learn. And I am not in the slightest degree ashamed to confess that during the seven years that have elapsed since the introduction of the present constitution I have lived to learn many things indeed. And one of the things that I have learnt is that there is no meaning and no reality even in the present so called constitution if Ministers were habitually, and as a rule, to rely upon votes other than the votes of their own fellow elected members either to keep them in office or to enable them to carry into effect the policies to which they are committed. I would ask the Council to make an analysis of the division lists since the present Council began to transact business on January 24 and tell me on how many or on how few occasions the present Ministers have only been able to have their way because they had the official and nominated non-official votes behind them.

The last speaker stated that there was some sinister intention behind the present motion. I am not the author of the motion. No member of my party is responsible for it. It has been moved by the secretary of the Swaraj party. It is that party and that gentleman who are the authors of this resolution and I have no doubt that they will be able to enlighten my honourable friend opposite if they had any such sinister intention.

Several speakers today have warned us of the unwholesome effect which this motion may have upon the coming Statutory Commission. Day before yesterday the Hon'ble the Home Member, today the honourable member for the Agra district and some others opposite, whose policies and measures we have not been able to regard as the policies and measures of born reformers, of people burning with the desire to see Swaraj become an accomplished fact tomorrow, have warned us of the

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unwholesome effect this discussion might have upon the Statutory Commission. I have listened with composure to these sermons of veteran political reformers to whose lifelong labours in the cause of the political advancement the country is so deeply indebted. But I will tell them of another thing. What is the probable effect of the attitude of the Ministers themselves and of other honourable members opposed to this motion upon the coming Commission? If it were to find that it was proposed to the Ministers that they should rely upon the support of their fellow elected members of the Council to which they are supposed to be responsible and not to take shelter behind the official bloc, that the Ministers politely declined that invitation for whatever plausible reasons of their own, and that a section of non-official members also stood up to say that the time had not come when Ministers could do without the support of the official bloc, I put it to you that the probabilities are vastly greater that the Statutory Commission may think that at least the United Provinces are not ripe for provincial autonomy as the Ministers instead of looking up to those from whom alone they should draw support, want to continue to be fed the Mellins Food of the official bloc.

Sir, in the course of this discussion honourable members have variously described the official bloc. One honourable member has referred to the honourable members composing the official bloc as impartial members. Another honourable member has referred to the official members as our friends, philosophers, and guides, as our protectors but for whom our lives and property would not be safe. (I am only paraphrasing their remarks.) Sir, unfortunately either for them or for me I have not been fed during my life upon this doctrine that we have to live, move, and have our being under their benignant auspices that can only get on with their blessings, and that if that blessed official bloc were removed a catastrophe would overtake us. On the contrary I affirm that with a full knowledge of facts such as any non-official member who reads the proceedings can gather for himself and anyone in public life can also make up his mind about, that those who compose the official bloc are not supporters of progress, and I further affirm that their vote is of value and is of necessity to Ministers only when the Ministers cannot make up their minds to carry on the administration with the support of the progressive elements in this Council. (Hear, hear.)

The honourable member who represents Pilibhit and Kumaun told us that without the support of the official bloc, the Ministers would be reduced to something like a foot-ball—to be kicked at by every Tom, Dick, and Harry. With every respect for profound knowledge of constitutional lore possessed by that honourable member I desire to say, speaking here as an ex-Minister, that Ministers are here in order to be kicked at by their fellow-Toms, Dicks and Harrys. If we are all Toms, Dicks, and Harry's, then, Sir, that Tom, that behind Diuk, and that Harry sitting opposite (pointing to the three Ministers) are hereto be kicked at by us here, their fellow-Toms, fellow-Dicks and fellow-Harrys. If, however, that Tom, that Dick, and that Harry cannot defend themselves against our kicks without the support of those officials who we know in this Government are the power behind, the throne and who sit there beaming with smiles,

[Mr. G. Y. Chintamani.]

then, Sir, the Ministers' places are here ready for them; we shall welcome them into our midst. But, sir, they are not here to be glued to their seats by the official members if they cannot get on with our support.

The Hon'ble the Finance Member complained that this motion had come too late. I have heard that objection with very great interest. I will not, however, deal with it at any great length as we have not the time left, and also because my honourable friend behind has already given attention to it. I will only say this, that in this Council and outside we are all used to the objection "too early." Whenever any proposal for reform is placed before this Government, the reply is "premature," "too late," "first deserve and then desire," "Do not try to leap before you can walk," and so on and so forth. So many proposals must be ruled out because they are "too early" and now it seems that some must be ruled out because they are "too late."

[Here the Hon'ble the President resumed the Chair.]

I should like to know whether during any part of his official life the Hon'ble the Finance Member came across any proposal of reform from non-official Indians to which he had not to object either on the ground that it was "too early" or "too late," or on any such other ground. In his native country there were two Chief Secretaries: one was Mr. Long, and, some years later, there was Mr. Shortt. But Mr. Long and Mr. Shortt were equally agreed in making short work of the liberties of Sir Samuel O'Donnell's country men. So, here we are, whether we are too late or too early, whether it is Mr. Long (the Home Member) or Mr. Shortt (the Finance Member) who speaks, there is the same conclusion against us. Our proposals are too late or too early, they are impracticable, there are various difficulties in the way. If they are further pushed into a tight corner, why, they decline to make a statement.

In my opinion, Mr. President, I submit with all deference but with a certain amount of confidence, this resolution having been brought forward, its defeat will be a great misfortune, because the inference that a defeat will lead to in the minds of those who will compose the Statutory Commission, will be unfortunate for us.

Let me say before resuming my seat that I notice with deep regret and a certain amount of humiliation that the principal spokesman of the other side on this resolution is not the senior Minister who generally speaks for himself as well as his colleagues on matters pertaining to the transferred departments, but the Hon'ble the Finance Member. I submit the interpretation of the word "Government" that occurs in this resolution is the "Governor acting with his Ministers." I submit that the Governor in Council has no *locus standi* in the determination of this question. If there is any authority to decide whether to accept the convention such as is recommended in this resolution, or whether not to accept it, that authority is what is formally known as the Governor acting with his Ministers and in reality the Ministers themselves. One mistake having been made, I am waiting with interest, not unmixed with anxiety, to know whether the Hon'ble. Ministers will be parties to the defeat of

this resolution with the said of that very official bloc against which it is directed. They have made themselves a party to the prolongation of the debate by voting with those who said there must be no closure. As has been their wont except when their class interests are involved, all the three Ministers have come forward loyally and dutifully to record their votes against the motion for closure because their superior and reserved colleagues decided that there should be no closure. Let me see what inference they will compel us to draw as to the basis upon which they hold their office, as to the idea which they have in their minds as to the authority from which they derive their sanction, when this resolution is put to the vote, whether they will or whether they will not draw on the paternal official bloc for their sustenance.

Raja Shambhu Dayal :—

جناب والا —

آج اس ریذولوشن کی وجہ سے معصوم منسٹروں کی حالت زار پر صبح سے آسمان بی بی زار زار آنسو بہا رہا ہے۔ اس وقت ہمارے آنریبل دوست منسٹر چنتا منی صاحب نے اس ریذولوشن کو سپورٹ کیا ہے لیکن نہیں معلوم اگر ان کے وقت میں یہ ریذولوشن آتا تو وہ کیا رائے ظاہر کرتے۔ یہ امر مسلمہ ہے اور عام رائے یہ ہے کہ منسٹروں کو آزاد ہونا چاہیئے اور آزادی سے کلم کہنا چاہیئے۔ گورنمنٹ کو ہرگز جادے جانا ان کے اختیارات میں مداخلت نہیں کرنا چاہیئے۔ ان بیچاروں کے سہ تو کرا بدنامی کا فضول ہی رکھا جاتا ہے لیکن میں یہ آزادی سے کہوں گا کہ یہ ابھی تک گورنمنٹ کی مشین ہیں۔ اب اس وقت اس ریذولوشن کے معنی یہ ہوتے ہیں کہ منسٹروں پر روت آف سینسز لیا جائے۔ اس وقت سہ کاری میمبران رائے نہ دے سکیں میرا خیال یہ ہے کہ ان بیچاروں کا کوئی تصور نہیں ہے کیونکہ یہ مکمل طور سے آزاد نہیں ہیں لہذا اگر کسی موقع پر یہ لوگ ہٹائے گئے تو یہ ہوگا کہ اگر یہ نہ سہی تو اور مٹی کے سہی۔ لہذا میرا خیال یہ ہے کہ گورنمنٹ کی پالیسی کو بدلنا چاہیئے اور اس کا وقت آ رہا ہے چونکہ دوسرا کمیشن بیٹھیکا اور مزید اختیارات دیگا۔ اس میں آپ ڈائری (dyarchy) کو دکھائیں اور پورے طور پر منسٹر کو آزاد کرائیئے۔ میرے خیال میں پورے طور سے خیالات کا اظہار ہو چکا اب ہمیں یہ چاہیئے کہ اس سوال کو زیادہ نہ بڑھائیں اور میری صلاح یہ ہے کہ سرجسٹ صاحبان اپنے اس ریذولوشن کو (withdraw) کر لیں *

مجھے ایک مثال یاد آگئی۔ جب اکبر بادشاہ تھے تو ان کے یہاں امیر خسرو اور بیبرل کا مقابلہ رہا کرتا تھا۔ اس مقابلہ کی حالت میں امیر خسرو نے بادشاہ کو اس طرف رجوع کیا کہ ہم اس وقت بیبرل کی عقلمندی جانیں کہ جب وہ ایک بکرے کو کھانا بھی دیتے ہیں اور نہ وہ موتا ہو اور نہ دبلا ہو۔ اس کی ترکیب بیبرل سے پوچھنا چاہیئے اگر بیبرل اس کی ترکیب نہ کرسکا تو اس کے اوپر شاہ کا تائب نازل ہوگا۔ اس کو بیبرل سے کہا گیا اور انہوں نے اس کو منظور کر لیا کہ ہم اس کی ترکیب کرینگے۔ نتیجہ یہ ہوا کہ وہ دن

[The Hon'ble Rai Rajeshwar Bali.]

بہر ہنرے کو کھانا دیتے اور رات کو اُس کے سامنے بھیڑیا باندھ دیا جاتا جتنا وہ دن میں کھاتا رات کو اتنا ہی پریشانی میں مبتلا ہو جاتا۔ لہذا بہتر ہوگا کہ یہ ریڈولیشن ہر سیشن میں لایا جائے تاکہ منسٹر صاحبان بہت احتیاط سے کام کریں اور گورنمنٹ کو بھی معلوم ہو جائے کہ پبلک اوپینین (public opinion) کیا ہے۔ میرے خیال میں سورا جسٹ صاحبان نے پہلے ہی یہ ترکیب چلے کہ ہم نان کوآپریٹر (non-co-operators) ہیں اور اُس وقت منسٹر چنٹامنی نے اُس کی مخالفت کی۔ میرے خیال میں یہ تھوڑی سی غلطی لیڈر صاحب (liberal party) کی ہوئی درنہ یہ مسئلہ اُسی وقت حل ہو جاتا۔ ایسی یہ موقع حاصل ہے کہ آئندہ جو کمیشن آرہا ہے اُس کے سامنے حالات رکھے دیئے جائیں اور آئندہ ہر سیشن میں یہ ریڈولیشن رکھا جائے *

It is no easy task for me to convert the House to my view, after the very forceful and eloquent speech of the distinguished leader of the Nationalist party; but I may be excused for saying that the main issue of this resolution has been side-tracked by the trend which the debate has taken. If I were asked whether a block of official votes should form part of any system of responsible government, I would, without a moment's thought, emphatically and unequivocally say "no." Further, if I were asked to express an opinion on the present system of dyarchical government, I would, in a similar way, say that it is a vicious system, that it is a system which is difficult to work for the simple reason that the two halves of the Government have divergent obligations of responsibility. But that is not the question at issue at this moment. Those of us who are on this side of the House as well as many of those on the other have accepted to work dyarchy for what it is worth. Therefore, we have to see that under the system which we are pledged to work, what is the place of official votes.

The essence of responsible government is government by parties, the formation of parties who habitually support or oppose the Government. Dyarchy introduces factors owing to which it is difficult, almost impossible, to form parties on sound political lines. I believe that that has been the experience all over India. If we look into the proceedings of the Legislative Councils of other provinces, we shall find the same difficulty facing the Ministers everywhere. Therefore what we should really aim at is the abolition of the present system of government rather than tampering with it piecemeal. The system is there and is illogical; and it is one of the concomitant illogicalities of that system that, as a matter of practical politics, we have to retain the official votes.

It has been suggested by several honourable members that, whether for good or bad, the official votes have been there for the last seven years and that it is too late to establish a convention of this sort on the eve of the appointment of the Statutory Commission. I agree with them. Not only in this province, but in every other province, no such convention has been established so far; and it is certainly not the proper to establish one just before the existing constitution is going

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to be thrown into the melting-pot. On the general principle underlying this resolution, I have already expressed my view; and if I ever have an opportunity of appearing before the coming Commission, I would press those views. Therefore I wish to make it quite clear that if I have to oppose this resolution, I do not mean to imply in any manner—and I believe that is the view of all those who have spoken against it—that I am in favour of the official block being retained. I oppose the resolution because the system of official votes is, to a large extent, a concomitant evil of dyarchy and further, because it is too late in the day now to establish a convention when no such convention has been established so far either here or in any other part of India.

Pandit Govind Ballabh Pant: I had in fact no intention of intervening in this debate, as I do not feel today physically fit to take part in a discussion relating to a matter of such moment, but having heard the speech of the Hon'ble Minister I felt that I would be failing in my duty if I did not make a few passing remarks.

Firstly, I may remind the Hon'ble the Finance Member of a fact which he seems to have forgotten. He said that this question had not been referred to by anybody in the course of the last seven years. I do not know much about the proceedings of the Council during the first three years, but I distinctly recollect that notice of a resolution of this character was given by a gentleman who is today carrying on an active propaganda in England in matters connected with constitutional reforms and who is fully known to the Hon'ble the Finance Member—I mean Dr. Shafa'at Ahmad Khan. With his knowledge of constitutional history and constitutional principles he was perhaps the fittest person to deal with such a measure, and he was perhaps a gentleman who could elicit more of sympathy from the Hon'ble the Finance Member than most of us who are sitting here.

The Hon'ble Minister said that, so far as dyarchy goes, he is against it; it is unworkable and vicious, but so far as doing away with the official block goes he is not prepared to accede to the suggestion. Well, Sir, I will not make any comments of a caustic character, but one would be inclined to say that the Hon'ble Minister's pious wishes are very sound, but in practice his ways are vicious and dubious. That, so far as dyarchy goes, as it is not for him to put an end to it, it is his earnest desire that dyarchy should cease to exist, but so far as it is possible for him to annihilate one of the vicious elements of this unworkable system of dyarchy, he will not do it. Well, it does not seem to me to be a very straightforward way of dealing with matters of business in this world. If a man is really against a thing, if he considers it not only unworkable but vicious, it is really strange, it is unintelligible, it is something which does not look honest, that he should take it upon himself to work that system that is unworkable and to carry out those functions which he thinks are vicious. It would have been quite befitting if this remark had come from the mouth of a person who had said that he was against any system of dyarchy and would not go near it; but for him to come forward and make such a statement is just to trust

[Pandit Govind Ballabh Pant.]

too much to our simple credulity. Sir, after all what was the profession when this system of dyarchy was introduced? We were told that it was with a view to attain the progressive realization of responsible government that the system of dyarchy had been introduced. We were further told that this scheme that had been adopted by the framers of the Montford report was based on one fundamental principle. That was this. Certain functions were to be transferred to popular control and were to be administered by elected members who were to be answerable to the elected representatives of the people. It was from amongst them that the Minister was to be selected; but he was not to be placed in charge of all the functions, but only of some of them, which from the very moment of the transfer were to be administered by him according to the wishes and under the control of the popular representatives. Now, if my enunciation of the scheme of dyarchy be correct, I submit that it is against the spirit of that scheme, even of that vicious scheme of dyarchy, that Ministers should be able to function against the wishes of the majority of the elected members of this House with the support of the official block. It must be admitted that they can benefit by the support of the official block only in those matters in regard to which they cannot get popular support, as where the support of the elected representatives of the people is with them, the support of the official block is superfluous and unnecessary. Where it is not with them and they try to stick to their office by virtue of such props, then on the very face of it they are trying to administer in the name of the people but in fact against their wishes. So, I submit that it is against any principle of progressive realization of responsible government that those who are ostensibly responsible to the elected representatives of the people should be able to trample upon the wishes of the representatives of the people constitutionally expressed in this House with the support of those men to fight whom these elected representatives have been sent to this House. After all what is the principle of responsible government? It is this, that the trusted representatives of the people should be able to control the activities, the idiosyncracies, the excesses of the officials, but it is these very officials who are to be used by the Ministers against us. Then is it not a travesty of responsible government even in that limited sphere of transferred functions? So I also desire to tell him that so far as this particular resolution goes, it does not need the sanction of His Excellency the Governor, nor does it require the consent of the Hon'ble the Finance Member or his twin brother the Hon'ble the Home Member. It is open to him and to his colleagues to accept this proposition and to say that, even if a motion is defeated in this House, if it is found that that defeat has been secured by means of the official votes and if the non-official votes alone were considered the result would go against them, they would adopt the practice of giving effect to the wishes of the non-official members. If they do not do so, then they must admit that they want to adhere to their offices against the wishes of the majority of the elected representatives who are sitting here and on the cross benches. Some of our friends have told us that the party system has not developed. They have told us that there are different groups in this House. Well, I do not know if they are really anxious to help the growth of a party system. I do not know if

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they ever thought of any party except that which blindly identifies itself with the Government. If they want a party which can exist only in so far as and so long as it is subservient to the wishes of the Government and not a moment afterwards, if their notion about a party is that it should be uniformly, incessantly, constantly and ever and always subservient to the wishes of those who are in power, then their notions are entirely opposed to those which obtain in sound constitutions. So I submit that this argument that the party system has not developed is altogether futile and has no force in it. We do not say that when the Ministers are opposed by the majority of the parties in this House irrespective of the numbers of elected representatives then they should quit office. What we say is that when the majority of the elected representatives who are in this House, whether they belong to one party or two or to many, are against the proposals, are against the schemes which they want to launch and to carry through, then they should quit office and there the question of party does not come in at all. It is immaterial and irrelevant. We are counting heads and not parties. So I submit that it must be accepted that if the Ministers in any way pretend and profess to work and to carry on their duties in the name of the people of this province, then they should trust those whom the public outside have sent to this House to represent their interests; otherwise they must accept that they are here not to function according to their wishes; they must accept that they are not responsible to the members of this House, to the non-official representatives; they must accept that they do not care for the wishes of those who have been sent by those to whom apparently they owe allegiance, but that what they care most for is the opinion of those who could protect them against their own people; they must accept that the principle on which they rely is one of self-preference and personal advancement in a vicious system by vicious methods. If they accept that, then they should be frank, but they should not try to complicate matters and to hoodwink and to mislead us. I hope that they will be able still to revise their notions and I hope that if they find to-day or hereafter that any proposal has been carried in this House not by the support of the elected representatives of the people but with the aid of the official block, they will take it as a hint that that is a mandate to them to hand over the charge of their portfolios to others who may be able to administer the affairs of the province according to the wishes of the majority of the elected representatives.

Nawabzada Muhammad Liaqat Ali Khan : The principle involved in the resolution is such that no one, either in this House or outside, who has democratic views can differ with it. I will not refer to the communal aspect of the question; I will not drag separate or joint electorates into the discussion; I will not discuss it from the point of view of a particular class; but I want to discuss this from the point of view of practical politics. As the Council is constituted at present, we have three separate non-official parties, and can anyone tell me whether any one of these parties has a clear majority of non-official members over any other two parties in this House? The result of accepting the convention asked for in the resolution will be that the present system of government will come to an end. We are not in love with dyarchy, and all those high personages, either official or non-official, who have worked this system of government have condemned it. Our present Governor, His Excellency Sir William Marris, has also declared dyarchy to be defective. So, Sir, it is to the credit of Indians as a whole that we have worked, and I might say we have worked with a certain amount of success

[Nawabzad Muhammad Liaquat Ali Khan.]

this very system of government which even its framers declare to be defective. But at a time when it is to be mended or ended in the course of a year or so it would be unwise for us to take any hasty step. We can tell the Royal Commission that the constitution that you gave us has been defective; the constitution that you gave us has been impracticable; there have been numerous difficulties, but still we have worked it.

I think it is no argument to say that because a resolution of this nature has not been brought before so it should not be discussed now. There always has been, there always will be, the demand of the people that the executive should be responsible to the Legislature. We will all welcome that day when the will of the people prevails and we hope it will come soon.

I think, Sir, the purpose of this resolution will be served if all this discussion that we have had today is placed before the forthcoming Royal Commission. They would know that the demand of a large section of the elected members, the accredited representatives of the people, is that the present system should be abolished, that the executive should be responsible to the Legislature and I support my friend the Raja Sahib that we should not come to a division on this point. It will be disastrous, as my honourable friend the member for Partabgarh has said, if this House voted against the resolution and at the same time it will be inexpedient, I think, if the House adopted it at this hour.

Rai Bahadur Babu Vikramajit Singh : After the very eloquent and well-reasoned speeches of the leaders of the Swaraj party and the Nationalist party, it is hardly necessary for me to say anything on the point, or I should say that I cannot add much to it profitably, but there are certain points on which I would like to make a few observations.

My honourable friend, Khan Bahadur Hafiz Hidayat Husain, whom I do not find at present in his seat, comes from the same place as I do, and I always admire his knack of introducing communal matters on every question or resolution that can ever be brought up anywhere. I was wondering whether there could be any question or resolution in which he would not introduce communal matters and would give his opinion on the merits. I thought that probably to-day's question is one which would raise no communal matter, but I have been disappointed even in that. I think if there was a question whether a cultivator should sow *juar* or *bajra* and if that matter was brought before the Council for an expression of opinion my honourable friend will say :— " You cannot sow anything unless you have got so many cultivators, so many sellers, and so many buyers of each class or community." I really fail to see why in every question things which are absolutely irrelevant to the main issue should be introduced. Then he had another fling at the majority community as he said that unless they treat the minority community better, he would not vote for a resolution of this nature. On that point I do not wish to make any observations beyond saying " **ہو عکس نہ ہو نام رنگی کانور** "

viz it is an irony that you name a negro "campbor," and I leave that there and ask him to consider coolly whether the majority community has not been harmed and whether the things are not in the way he has been advocating in the Council. However, with these matters. Here the simple question is :

Should the Ministers would like to retain their seats in accordance with the wishes of the elected majority in the Council or whether they would like to remain in their seats with the help of the official block. I say, Sir, that if any gentleman goes before his electorate and says that

he wants to go to the Council in order to become a Minister or that he wants go to the Council in order to earn a particular salary or power for himself, I do not think he will be able to command votes. On the contrary, he tells the electorate: "I go there to serve the country, I go there to place my services at the disposal of the public at large and of the Council." It is no consideration for us whether a particular ministry or a particular Minister will or will not be able to retain his seat. The apologists of the Ministers have been making speeches of that kind and I feel ashamed, humiliated to hear that the Ministers will not be in office if the official block will not help them. And my friend the Raja Sahib of Maurawan for whom I have the greatest respect and admiration, has said that these *bicharas* (helpless) these *masums* (innocents), meaning thereby the Ministers, are here on account of the official block. If you were to withdraw that help, then the votes of censure would be coming in, which clearly means that they would not be able to retain their seats on account of the elected majority. I submit that no self-respecting Minister will feel satisfied, gratified or dignified by such remarks. He does not wish to retain his seat mere'y because he gets a certain salary or wields a certain power. He is there to improve the condition of the people and if it is not his desire to improve the administration, he should not remain for a day. Therefore I fail to understand the observations of those who opposed the resolution on the ground that the Ministers will not be able to retain their seats. Nawabzada Liaquat Ali Khan said that in the House there is no party which commands a majority, and he appealed to practical politics. There I can show that he is not in the right. There is a party which demands, or which stands for, self-government and wants progress and here we have got two such parties which combined will show that they are in a majority and they stand for progress and advance in administration. These are the Swarajists and Nationalists. So that it is not at all difficult to find a progressive party, a party which stands for progress and advancement, and to maintain an elected Minister in his seat by a majority. The question is that if it was decided that the matter will be decided only by the votes of the non-official members, in that case the non-officials will be able to support a Minister who commands their confidence and the Minister will find himself in a much stronger position than he finds himself today when he is to be supported and so to say patronized by the official block. I do not feel myself gratified at a position of this nature: no member would like to accept office simply for his own personal gain. Members accept office as Ministers in order to render service, and therefore it must be presumed that they command the confidence of a non-official majority, if they have to retain their seats in the House. Therefore all this argument that it will be very difficult for them to retain their seats, I submit, cannot stand examination for a minute, and I cannot imagine how the Ministers stand up after saying all sorts of platitudes, to oppose a resolution of this nature. We do not want merely sweet or sympathetic words. Every gentleman gets up and says he is in full sympathy with our notions of self-government and so forth, but wants to oppose the resolution on some flimsy grounds. Therefore I say that there is not one good ground which has been put forward. Only two points were raised by the Hon'ble the Finance Member and they have been exploded by so many other members that it is not necessary for me to go over the same ground. Therefore I say that in the name of self-respect, of dignity, of advancement, the members

[Rai Bahadur Babu Vikramajit Singh.]

of this Council should rise to the occasion and ought to carry this resolution and not show to the country that they really do not want any advancement and they are here not to advance the country but for their own self-interest.

Mr. St. George Jackson : Several members have said that they have been unable to overcome the temptation to speak and it is for this honourable House to decide whether they were wise in their inability to overcome their temptation and whether there has been any benefit to the House from their succumbing to the temptation to speak. An honourable member who was at one time a Minister has stated that in his day he and his co-Minister had made up their minds to resign if they obtained a majority with regard to two different resolutions on two different occasions that consisted only of the official vote; they had continued in office, however, because they had obtained a very large majority outside the official votes. But times have changed since then and the present House has several members now who were not members then. I had the privilege of hearing the honourable member for Partabgarh state, in this House, in March or April last, that he wished to see more Indian secretaries in the official block, and yet when those Indian gentlemen are appointed they are not to be allowed to vote, if the present resolution is to be accepted. This involves a paradoxical situation and is beyond the capability of my humble understanding. It is said that dyarchy is bad, but India contains, at least, two large nations; they have a diversity of interests and must and will continue to have, until the one absorbs or obliterates the other. So long, therefore, as the Indians are not united in their interests, there must be somebody else to settle their diversities of opinions and interests. Member after member has frankly avowed that the Indians are not in a position to rule as a combined nation. I would ask my honourable friends on the other side of the House which one party has so much the confidence of this House that any other party is prepared to entrust it with the power to rule? When there is a question of diversity of ideas and interests, I put the question frankly—by whom do they wish that to be finally and unequivocally settled? I tell them to ask themselves in their heart of hearts—do they not wish this diversity of opinion to be decided by a person who has proved that he can be trusted? with regard to the various small committees on which I have often been president and chairman I would ask them frankly how are things settled there? Have not one or two members said that they would oppose all of so and so's proposals? And then these differences have had to be settled by a third party. We used to have a lot of discussions and sometimes they came to reluctant decisions though at other times the matter was postponed. So, I will say that this resolution is one which involves a paradoxical position and the gentlemen who have supported it did so, I am sure, more with their lips than with their hearts. I will ask them frankly, and they know quite well, as one honourable member said, is there any one party here which can be trusted by any other party to get the entire support of the House? The Hon'ble Ministers had extended to them an invitation to give up their office because they may not have that majority of votes which the speakers think they ought to have. It is for the Ministers to accept that disingenuous invitation or to reject it. But I will ask my honourable friends, can they think that any Minister just now would have the support and confidence of this House? If they have that knowledge they can divulge it. But this shows that

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if Indian gentlemen are asked to accept responsibly and to take the reins of government they may decline the invitation. So I wholeheartedly oppose the resolution and ask the House to reject it.

Mr. A. P. Dube : The honourable member who has just spoken said that there are two communities in this country so much at loggerheads with each other that until they compose their differences they can never have home rule or any rule on those lines. The argument which he has adopted is a never-failing argument, an argument which is bound to last from beginning of time to the end of time. He has not counted upon the possibility of the two communities composing their differences or otherwise coming to an amicable understanding and trying to put the good of their country before the good of their community. An argument of despair of this kind is advanced before the House in all seriousness. It reminds me of an advertisement which was put on the shop of a French undertaker. An undertaker, as the House is aware, is a person who deals with burials, coffins, wreaths, and all these things. And this adventurous French undertaker had put up a notice on the shop stating:—"Why do you live and be miserable when you can all be comfortably buried for only 75 francs?"—which comes to about Rs. 55. From his own point of view he thought that every body who was alive ought to be buried. This sort of argument really does not count. The honourable member said that there are no parties in the House. I submit, Sir, that it is the thumb of the bureaucratic rule that is preventing everything. A country that has lost its independence is like a man that has got a broken arm or a broken leg. If you go and ask a man who has got a broken arm or a broken leg if he has anything to say, all that he can answer is to put up his broken arm or leg before you. He has got nothing else to say except his own grievance of the broken arm or leg. As I said before, it is the thumb of the bureaucracy, it is the thumb of the British rule that is keeping up the artificial combination of parties. Every party is engaged in biting that thumb. If this thumb were removed, then, I submit, all these unnatural combinations of parties and persons that are to be found in this country will fly asunder and cohere in accordance with their natural affinities. Therefore I say, as I said yesterday, it comes to "Heads I win and tails you lose". Let "us have that atmosphere in which good things will prosper and these things perish. When we ask for this atmosphere you point to the very things which we want to be removed, as a reason for not giving a better atmosphere.

With regard to the misunderstanding between Hindus and Muhamadans I will not express my own opinion here. Here is a book in my possession written in the year 1914 by General Bernhardt. I am only quoting one passage from that book. After stating what England is doing with regard to Muhammadan countries he says :—"The same views are partially responsible for the policy in India where some 70 million of Muslims live under English rule. England so far, in accordance with the principle of *divide et impera*, has attempted to play off the Muhammadan against the Hindu population. But now, that a pronounced revolutionary and nationalist tendency shows itself among these latter the danger is imminent that pan-Islamism thoroughly roused should unite with the revolutionary element of Bengal. The co-operation of this element might create a very grave danger, capable of shaking the foundations of England's high position in the world." Seven years after

[Mr. A. P. Dube.]

this we find the Khilafat movement coming into line with the nationalist movement and the prophecy of this writer made seven years ago being fulfilled. So, Sir, it is all very well to take up a position upon a high pedestal, but we have got to face actual facts and we have to find for them a practical solution. If we are to accept the principle advocated by the speaker who has preceded me, there will never be a solution and we will all be in the same position in which we find ourselves now for ever. And thus we may indeed also wait for ever.

Babu Sampurnanand: If I wished to express my feelings, the feelings that I experienced as I listened to the speeches that were delivered in opposing my resolution, I could not do better than employ the language used yesterday by the Director of Industries when he said that it was like trying to search a needle in a bundle of *bhusa*. Perhaps there was a little bit of a needle; but I am certain it has been reduced to smithereens by so many speakers who have spoken in support of the resolution. I do not know if it would be necessary for me to refer at any great length to the amiable Raja Sahib who first gallantly took up the gauntlet on behalf of the Government. For him and people like him I can only say:—"Father, forgive them, for they know not what they do." I think it would be ungenerous to take his remarks seriously. But it was a hopeful sign that he referred to the coming Statutory Commission which is expected to give us more powers. Let us hope that the reference that he made to the Statutory Commission and that was made yesterday by his conscience-keeper, the Hon'ble Nawab Sahib of Chhatari, are really signs of dawning sense and sincere repentance. Khan Bahadur Maulvi Fasih-ud-din was pleased to say that if my resolution was meant as a piece of propaganda he would be pleased to support it, but if it was meant to be acted upon, he would have to oppose it. I am afraid, the Khan Bahadur Sahib forgets that I am not a limb of the Government. It is for the Government and those who support it to differentiate principle from practice. I belong to a party which believes in translating principles into practice. If my motion is passed, I would like that it should be translated into practice from the next day. Referring to the example of the wound and the scar, may I say that a scar is much preferable to an open sore. The Hon'ble the Finance Member is never tired of emphasizing the point that the convention is nowhere embodied in the Government of India Act. I say if it were so, there would have been no need of such a convention as it would have been on the Statute book. And if it has not been embodied in the Act, it has not been, if I may say so, disembodied out of it. I cannot congratulate the honourable member to my left, Khan Bahadur Hafiz Hidayat Husain, on the sorry plight or rather sorry turn that his researches in constitutional history have led him to. He has agreed with me in principle, but opposes me because he fears that we have not developed that sense of responsibility, that power of resisting temptation, that power of sacrificing lesser interests to the greater that is essential. If all the ministers and the Hon'ble the Home Member are Indians and if they can resist temptation and if they possess the sense of responsibility, then there is no reason why we should be credited with similar virtues. And then, is there not the being but human beings, the official members will sacrifice the interests of the people at large to those of the bureaucracy and the interests of the nation to the interests of the white man

where these clash ? I think I need not say anything about the remarks he made regarding communal matters and the formation of parties. They have been replied to by the honourable member for the Allahabad University in so far as they were not irrelevant. The solicitude displayed by the honourable member for the Government, I mean Khan Bahadur Mr. Masud-ul-Hasan for the privileges of official members is very touching. But his words would have rung true if he had ever stirred his little finger to secure for them all the privileges of fullblown members, the right to interpellate, to move Bills, to vote as they choose. I do not understand why it is said that we cannot have political parties in our own country, situated as we are. If you can have political parties in Egypt where there are Muham-madans and Christians; if you can have political parties in Canada where there are Protestant Englishmen, and Roman Catholic Frenchmen; if you can have political parties in South Africa and in the blessed island of Malta inhabited by Englishmen, Italians and Arabs, I fail to understand why you cannot have political parties in this country of ours. I agree with the Hon'ble Minister for Local Self-Government that a convention which militates against the spirit of the constitution is undesirable; but I fail to see in this resolution anything which would militate against the spirit of the constitution. I never thought that a voice like mine required a loud speaker to reach Rai Bahadur Babu Mohan Lal. He says that the question of official blocks was never raised before the Muddiman Committee.

Rai Bahadur Babu Mohan Lal : I never said that. I said that this question of the convention was never raised before that committee.

Babu Sampurnanand : It was never raised probably in that form, but I have read extracts from the reports of that committee, both majority and minority, which clearly show that the question of the voting by official members on transferred subjects, if not in so many words, did come before them. If it did not come before them, what was the object of the majority report saying that the Government must have power to direct their officers as to the manner in which they should exercise their vote ? The question must have come before them. I wonder what sinister meaning could be read in this resolution which I have moved. Honourable members of this House know that I belong to the Congress party—a party which is pledged not to accept office. To us it is all one who is minister today or who is the minister tomorrow,

مارا چه ازین قصه که گاؤ آمد و ختم رفت

I was in high hopes when Nawabzada Liaquat Ali Khan Sahib got up and promised to take us into the region of practical politics. He says that at present in the House we have three parties, none of which is absolutely in a majority and says that in such state of affairs we shall have to give up the present form of administration. I fail to see on what grounds he bases this argument. Does he not remember that not long ago there were three parties in England, the Liberal Party, the Conservative Party and the Labour Party almost evenly balanced. The Labour Party got into office and were succeeded later by the Conservative Party, but no disaster ensued. Are not two parties equally balanced in Dail Eireann at the present time ? I see no reason to alter my opinion that in the same state of affairs out here where we have three or more parties, no disaster is going to overtake us if the convention for which I have pleaded in this resolution is accepted. I do not think anything

[Babu Sampurnanand.]

more is needed in reply to the arguments from the other side. The fact that yesterday a Head of a department got up, not to explain facts about the details of the administration of his department but to enter into political polemics with members on this side of the House; the fact that the Hon'ble the Finance Member had to buttress up the ministers today with his speech; the fact that the question whether the closure should be taken or not had to be decided in favour of the ministers with the help of the official votes, is a very significant commentary on the position which the ministers enjoy under the present system of Government and of the extent to which they depend on the votes of the official block. I appeal to members of all parties in this House to accord this resolution their support. Not to do so would be to brand ourselves unworthy of the trust reposed in us by those who sent us to this House. Member after member has got up to say that he agrees with the principle of the resolution, but he has failed to give reasons why he cannot support it in practice. I am sure that every member of this House must be struck by the fact that when every member admits that this resolution is sound in principle, but they cannot support it in practice, there is something which is holding them back, something to which they cannot give expression, something which makes them vote in a way against their conscience, something that we can but dimly guess at. Let it not be said of them.

"Their honour rooted in dishonour stood.

And faith unfaithful kept them falsely true."

The Hon'ble Sir Sam O'Donnell: I said, speaking earlier on this resolution, that the proposal was belated. The honourable member for Partabgarh has asked me whether there has ever been a proposal that would have made for the progress of India which I have not opposed on the ground that it was either belated or premature. Well, I do not admit I have ever opposed any proposal which, in my opinion, would have made for the progress of India. It is true that I have the misfortune to differ profoundly from the honourable member for Partabgarh. Changes which he regards as desirable I do not so regard. I do not claim any particular value for my opinion. I recognize as readily as he or anyone else that my views may be entirely mistaken. But I suggested that that also applies to him. He, too, is not infallible. I have never suggested that he has opposed proposals which were for the benefit of India, and I suggest that he might believe the same of me. As a matter of fact, I do not remember any particular occasion on which in this Council I have opposed any proposal on the ground that it was belated or premature; but if I have done so I make no apology. It seems to me that it is a perfectly valid objection to a proposal that it is belated or premature, and I maintain that this particular proposal is demonstrably belated. The honourable member for Partabgarh and the honourable member for the Allahabad University and a number of other members of the same persuasion were members of the first Council for three years. During that period they never suggested that a convention of this kind should be established. The honourable member for Partabgarh has argued that during that period, when he was a minister, at any rate, it made no difference to the position of the ministers on which side the official vote was cast. I was not, except for a very short period, a member of the Council during that time. I am willing to take it for the sake of argument that it made no difference on which side the official vote

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and influence were cast, and my reply is that that argument is entirely irrelevant. The issue with which we are concerned today is one of constitutional propriety. It is alleged that it is constitutionally wrong and improper that the official members should vote on the transferred subjects. If that contention is valid, then the point should have been raised during the first three years by the honourable members opposite. They did not do so. They were not members of the next Council and they had three years during which to meditate on the constitution and its working. At the end of three years they returned to this Council, but when they did so, they did not propose that this convention should be established. Either it did not occur to them that such a convention was desirable or they had not been able to make up their minds. It was not until the month of November, 1927, at the end of seven years, that it suddenly dawned upon them that such a convention should be established. It may be a fact that Dr. Shafa'at Ahmad Khan gave notice of a resolution which was never moved, but that is all that they can point to in a period of seven years; a resolution of which notice was given by one honourable member and which was never moved. Is it necessary for me to emphasize that if a considerable section of this Council desired that such a resolution should be moved, it would have obtained a place in the ballot and it would have been moved? Well, what inference are we to draw? Are we to infer that, despite the appeal to high-sounding constitutional principles, the change in the attitude of the honourable members is not uninfluenced by tactical considerations. If we are not to draw that inference, what is the explanation of the fact that it has taken them seven years to discover that such a convention was desirable? I maintain, too, that this proposal is belated, not merely because it has not been put forward until after seven years had elapsed, but also because the Statutory Commission is going to be appointed. The Statutory Commission must be appointed by 1929, and it is surely idle to suggest that in the short interval between now and the appointment of that Commission we should set about establishing an entirely new convention. Therefore, for that reason also, the proposal is belated. The honourable member for the Allahabad University argued that the fact that the official votes are under the control of Government was not consistent with my contention that the official members were full members of the Legislature. I cannot see any inconsistency whatever; the practice is the same in all the provinces and in the Central Legislature. It has been endorsed in the majority report of the Muddiman Committee. It has not been questioned in the minority report. The minority report merely said that there should be no official *bloc*; they said nothing whatever about the control of the official votes. My recollection is that the minority report did not touch that particular point. They did not object to the direction of the official votes; they objected to the existence of an official *bloc*, a separate matter.

A number of honourable members have discussed at great length what I may call the merits of the proposal, that is to say, if you are framing a constitution is it desirable that you should have an official *bloc* and that officials should vote on transferred subjects or not? Now, I do not propose to go into that aspect of the resolution and my reason for not doing so is this. Either this proposal is in conformity with the constitution or it is not. My contention is that it is not in conformity with the present constitution, that it is not what was intended by the

[The Hon'ble Sir Sam O'Donnell.]

framers of the constitution, and no serious attempt has been made to rebut that contention. If it is admitted that this proposal is not in conformity with the constitution, do the honourable members opposite suppose that the constitution is going to be altered in the period that will elapse between now and the appointment of the Statutory Commission. They do not suggest that. They recognize that whatever the merits or demerits of the present constitution it will certainly go on until the Statutory Commission has met and its report has been considered. Therefore it is idle to bring forward any proposal which is not consistent with the present constitution. When the Statutory Commission arrives, I do not doubt that every section of opinion will have an opportunity of expressing its views, but until then obviously the present constitution will go on ; and, since the proposal is not in conformity with that constitution, I say it is idle to bring it forward at the present stage.

The question was put and the Council divided as below :

Ayes, 33. Nos. 50.

Ayes.

Babu Lakshmi Narain Gargh.
Babu Ganesh Shankar Vidyarthi.
Mr. A. P. Dube.
Pandit Babas Bihari Tiwari.
Babu Sampurnanand.
Babu Bhagwati Sahai Bedar.
Chaudhri Vijai Pal Singh.
Chaudhri Dharamvir Singh.
Pandit Nanak Chand.
Thakur Hukum Singh.
Thakur Gulab Singh.
Lala Nemi Saran.
Chaudhri Badan Singh.
Thakur Sadho Singh.
Babu Kishori Prasad.
Pandit Mul Chand Dube.
Pandit Devota Prasad.

Pandit Venkatesh Narayan Tiwari.
Babu Kuyendra Narayan Singh.
Thakur Shiva Shankar Singh.
Rai Bahadur Thakur Hanuman Singh.
Mahaya Hanumat Prasad Singh.
Pandit Govind Pullabh Pant.
Pandit Badri Dutt Pando.
Rai Bahadur Pandit Sankata Prasad Bajpai.
Babu Mahendra Dova Varma *alias* Lalji.
Mr. C. Y. Chintamani.
Maulvi Zahur-ud-din.
Hafiz Muhammad Ibrahim.
Rai Bahadur Lala Mathura Prasad Mohrotra.
Raja Jagannath Bakhsh Singh.
Rai Bahadur Babu Vikramajit Singh.

Pandit Iqbal Narayan Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.
The Hon'ble Rai Rajeshwar Bali.
The Hon'ble Thakur Rajendra Singh.
The Hon'ble Nawab Muhammad Yusuf.
Kunwar Jagdish Prasad.
Mr. H. S. Crosthwaite.
Mr. Panna Lal.
Sir Ivo Elliott, Bart.
Mr. J. H. Darwin.
Mr. H. A. Lane.
Mr. R. L. Yorke.
Mr. R. Oakden.
Mr. A. W. McNair.
Khan Bahadur Chaudhri Wajid Hussain.
Mr. E. L. Norton.
Mr. F. F. R. Channer.
Mr. R. J. S. Dodd.
Col. R. F. Baird.
Mr. A. H. Mackenzie.
Mr. G. Clarke.
Mirza Muhammad Sajjad Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.
Mr. E. Ahmad Shah.
Babu Ram Charana.

Thakur Partab Bhan Singh.
Raja Kushal Pal Singh.
Lieut. Raja Kuli Charan Misra.
Rao Sahib Kunwar Sardar Singh.
Raja Sri Krishna Dutt Dube.
Rai Bahadur Babu Abhinandan Prasad.
Sirdar Nihal Singh.
Rai Bahadur Chaudhri Jagannath Prasad.
Rai Bahadur Babu Mohan Lal.
Kunwar Surendra Pratap Sahi.
Haji Abdul Qayum.
Saiyid Tufail Ahmad.
Khan Bahadur Shaikh Zia-ul-haq.
Lieut. Nawab Muhammad Jamshed Ali Khan.
Khan Bahadur Hafiz Hidayat Hussain.
Saiyid Habib-ullah.
Khan Bahadur Shah Badre Alam.
Khan Bahadur Shaikh Saiyid Muhammad *alias* Maiku Mian.
Khan Bahadur Hakim Mahbub Ali Khan.
Khan Bahadur Maulvi Fasih-ud-din.
Shaikh Muhammad Habib-ullah.
Chaudhri Niamat-ullah.
Mr. St. George H. S. Jackson.
Raja Shambhu Dayal.

Kunwar Bisheshwar Dayal Seth.

The Hon'ble the President then adjourned the Council sine die.

APPENDIX A.

(See page 633 *supra*.)
Statement referred to in the answer to starred question No. 13 for March 22, 1927.

Year.	Name of person or company to whom the Government have made an advance.	Amount of the advance.	Conditions under which the advance was made.	Security on which the advance was made.	Purpose for which the advance was made	Amount recovered.	Amount outstanding.	Remarks.
1924-25	Allahabad Law Journal Company, Limited, Allahabad.	Rs. 24,000	(i) Interest at 7 per cent. per annum. (ii) Loan and interest repayable in five annual instalments, the first being payable one year after the date on which the loan is actually advanced. (iii) In case of default penal interest at 9 per cent. (iv) Company to pay stamp duty leviable.	(i) Existing machinery and buildings, furniture, stock in trade and new machines to be purchased out of the loan. (ii) Two Directors gave personal security for the repayment of the loan with interest to cover the period prior to the arrival of the new machines and their hypothecation to Government.	For the purchase of type-casting machinery for the Hindustani type foundry.	Rs. 1,540 (interest) paid in November, 1926.	Rs. a. p. 22,000 0 0	On a representation from the company the Government have decided to postpone payment of principal for two years, but the entire loan is to be repaid within five years of the date of actual advance.
1924-25	Shri Maha Lakshmi Sugar Corporation, Lucknow.	1,20,000	(i) Interest at 7 per cent. per annum. (ii) Loan and interest originally repayable in two instalments in November, 1925, and 1926. Now repayable in four instalments in July, 1926, and May, 1927, 1928 and 1929.	Agricultural machinery worth about a lakh. Personal bond given by Sardar Jogendra Singh in order to cover the period prior to the hypothecation to the Government of the new machinery and the workshops.	For the purchase of sugar machinery ordered from abroad.	Principal, Rs. 17,335-7-8, interest, Rs. 12,634-8-4.	1,02,631 8 4	The company defaulted in payment of first instalment. Government extended the date of first payment to July, 1926, and fixed May 15 in the years 1927, 1928 and 1929, as the dates of subsequent annual payment.

APPENDIX A—(continued).

Year.	Name of person or company to whom the Government have made an advance.	Amount of the advance.	Conditions under which the advance was made.	Security on which the advance was made.	Purpose for which the advance was made.	Amount recovered.	Amount outstanding.	Remarks.
1925-26	Mr. Bhagwat Prasad Srivastava of the Basti district.	Rs. 2,000	(i) Interest at 7 per cent. per annum. (ii) Loan and interest repayable in five annual instalments. (iii) Borrower to pay the stamp duty.	Landed property worth the amount of the loan.	For preparing metal working model of an automatic spinning machine invented by him.	..	Rs. a. p. 2,000 0 0	First instalment is repayable on April 1, 1927.
1925-26	Mr. Radha Krishna Bhargava of Muttra.	5,000	(i) Interest at 7 per cent. per annum. (ii) In case of default penal interest at 8 per cent. (iii) Principal and interest repayable in five annual instalments in a period of six years, the first being due after two years from the date of the advance.	A house in Sitapur worth Rs. 20,000 which is insured by the borrower for that amount.	To start a match factory.	..	5,000 0 0	First instalment is payable on February 17, 1928.
1925-26	Indian Bobbin Company, Limited, Cawnpore.	50,000	(i) Interest at 6½ per cent. per annum. (ii) Repayable within four years from the date of the advance.	Debentures of the company.	To finance their stock.	..	50,000 0 0	

APPENDIX B.

(See page 637 *supra*.)

*List referred to in the answer to starred question No. 61 for
November 4, 1927.*

CLASS 1.

1. Dehra Dun	Meerut division.
2. Shahjahanpur	} Rohilkhand division.
3. Pilibhit	..	..	..
4. Benares	..	..	..
5. Mirzapur	} Benares division.
6. Jaunpur	..	..	..
7. Ghazipur	..	..	..
8. Ballia	..	..	..
9. Gorakhpur	} Gorakhpur division.
10. Basti.	..	..	..
11. Azamgarh	..	..	..
12. Almora	} Kumaun division.
13. Garhwal	..	..	..
14. Lucknow	} Lucknow division.
15. Rae Bareli	..	..	..
16. Sitapur	..	..	..
17. Kheri	..	..	..
18. Fyzabad	} Fyzabad division.
19. Gonda	..	..	..
20. Bahraich	..	..	..
21. Sultanpur	..	..	..
22. Partabgarh	..	..	..
23. Bara Banki	..	..	..

CLASS 2.

1. Naini Tal	..	..	..	Kumaun division.
2. Jalaun	..	..	..	Jhansi division.
3. Allahabad	..	..	..	Allahabad division.

APPENDIX C.

(See page 639 *supra*.)

(Copy of Government notification referred to in the answer to Starred Council question No. 72 for November 4, 1927, asked by PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB.)

GENERAL ADMINISTRATION DEPARTMENT.

MISCELLANEOUS.

November 27, 1926.

No. 1672/III—538.—Under section 25 of the Negotiable Instruments Act, 1881 (XXVI of 1881), His Excellency the Governor of the United Provinces of Agra and Oudh is pleased to declare the days specified in the statement below to be public holidays in the United Provinces of Agra and Oudh during the year 1927.

All treasuries and sub-treasuries in the United Provinces of Agra and Oudh will be closed on the public holidays specified in the statement, on Sundays, on New Year's Day, on Good Friday and on Christmas Day :—

Name of holiday.	Date.	Remarks.
Basant Panchami	February 6, 1927.	
Shab-i-Barat	February 17, 1927	If the moon be visible on February 4, 1927, then on February 18, 1927.
Sho Ratri	March 2, 1927.	
Holi or Doljatra	March 18, 1927.	
Id-ul-Fitr	April 4 and 5, 1927	If the moon be visible on April 4, 1927, then on April 5 and 6, 1927.
Ram Naumi	April 10, 1927.	
Saturday before Easter	April 16, 1927.	
Easter Monday	April 18, 1927.	
Empire Day	May 24, 1927	
King-Emperor's Birthday*	June 11, 1927 ..	If the moon be visible on May 31, 1927, then on June 10, 1927.
Id-uz-Zoha	July 8 to 10, 1927..	If the moon be visible on July 1, 1927, then from July 9 to July 11, 1927.
Muharram	August 13, 1927.	
Raksha Bandhan	August 20, 1927.	
Krishna Janam Ashtami	September 9, 1927	If the moon be visible on August 29, 1927, then on September 10, 1927.
Bara Wafat	September 10, 1927	
Anant Chaudas	October 3 to 6, 1927.	
Dussehra	October 26, 1927.	
Diwali or Dip Malika	December 24, 26, 27 and 31, 1927.	
Christmas holidays		

* The day which may be fixed for the celebration of His Majesty the King-Emperor's Birthday will be notified separately in due course.

By order,

G. B. LAMBERT,

Chief Secretary to Government, United Provinces.

APPENDIX D.

(See page 644 *supra*.)

Statement showing the stock of each kind of spirit on January 1, 1920, in Rosa Disillery and also the receipts and issues of spirits for each year up to the present year and the stock of spirit on September 30, 1927, referred to in answer to starred question No. 118 for November 4, 1927.

Name of year.	In hand at the beginning of year.		Receipts.		Total.	Issues.			Total.	Wastage.	Balance.
	Plain and Rectified.	De-natured.	Plain and Rectified.	De-natured.		Plain and Rectified.	Sophisticated.	De-natured.			
January 1, 1920, to March 31, 1920.	60,484·8	443·7	108,691·7	660·2	164,868·7	69,116·9	35,835·8	354·7	95,307·4	2,544·8	67,017·0
March, 1920-21 April to March.	63,948·0	69·0	382,905·0	690·4	446,923·0	245,146·2	105,992·3	518·1	351,655·6	10,221·5	88,049·9
April to March, 1921-22.	87,911·1	132·8	281,899·9	495·6	369,943·8	166,262·4	84,315·4	608·1	251,15·9	8,066·4	110,691·5
April to March, 1922-23.	110,528·2	163·8	191,293·9	702·2	301,985·4	120,469·2	70,561·4	596·2	191,620·8	4,588·4	105,767·5
April to March, 1923-24.	105,757·8	10·2	189,787·0	1,655·5	295,584·5	103,928·1	65,700·9	615·6	170,244·6	5,318·1	119,991·8
April to March, 1924-25.	119,940·1	51·7	142,017·2	636·9	260,009·0	98,153·7	58,080·9	1,487·1	157,730·7	4,826·8	97,961·5
April to March, 1925-26.	97,799·8	161·7	186,188·7	1,006·1	284,150·2	95,435·7	62,224·9	700·1	158,880·7	4,963·6	120,806·9
April to March, 1926-27.	120,792·9	74·0	154,051·5	864·9	274,858·4	89,561·5	66,464·5	787·5	156,819·5	3,132·2	114,912·7
April 1 to September 30, 1927.	114,675·6	237·1	50,807·0	..	165,719·7	29,283·8	22,696·1	607·0	52,586·9	1,217·1	111,915·7

APPENDIX F.

(See page 647 *supra*.)

*Statement referred to in the answer to starred question No. 129
for November 4, 1927.*

(a) The minimum qualifications prescribed by the Department for the appointment of Urdu teachers in Government English schools and Intermediate colleges for teaching High School and Intermediate classes respectively are :—

(1) *Government English schools—High School classes.*—Munshi examination (United Provinces) plus Advanced Language examination in Urdu. Preference is given to trained teachers.

(2) *Intermediate Colleges—Intermediate classes.*—Kamil examination of the Department and the Dabir Kamil of the Lucknow University, plus High School examination of the Board of High School and Intermediate Education in English.

(b) *In Government English schools.*—Thirty-eight, of whom 22 are Muslims and 16 Hindus.

In Government Intermediate Colleges.—Two, one post is at present vacant, the other is held by a Hindu.

(c) (i) Two,

(ii) Five.

The rest have passed the qualifying examination conducted by the Department.

APPENDIX G.

(See page 648 *supra*.)

*List referred to in the answer to starred question No. 137
for November 4, 1927.*

	Rs.
1. The Rev. Mr. A. Crosthwaite of S. P. G. Mission, Moradabad, for maintenance of the school farm...	1,250
2. Sahu Shankar Sahai of Bilari, district Moradabad...	3,000
3. Sahu Ram Nath Ratan Jain of Bilari, district Moradabad	2,000
4. M. Mohammad Raza Khan of Bilari, district Morad- abad	3,000

APPENDIX H.

(See page 661 supra.)

(Copy of order referred to in the answer to starred question No. 214 for November 4, 1927, asked by PANDIT DEVATA PRASAD SAHIB.)

To

Lala Bhawani Das Sah, President.

Lala Sohan Lal, Vice-President.

Babu Ganga Prasad, Secretary.

Pandit Kali Charan of Agra and other members of the Arya Samaj and those present at the Arya Samaj meeting today to be held at Alu-ka-phar on 27th June, 1927.

Whereas it has been made to appear to me that you are to give lectures at this meeting and that references have been made in a previous meeting held last evening towards Muslims and their teachings, which tend to cause a breach of the public tranquility, you are hereby prohibited under section 144, Criminal Procedure Code, from making any references at this meeting today towards any other community and especially towards the teachings of Islam or any references to the Quran.

Given under my hand and seal of the Court this twenty-seventh day of June, 1927.

June 27, 1927.

J. S. GROSE,

In Charge District Magistrate.

APPENDIX I.

(See page 575 *supra*.)

Statement showing the salaries of nazul employees transferred to the Lucknow Improvement Trust.

Serial no.	Names.	Pay under Government in 1920.	Present pay.	Allowances.
		Rs. a.	Rs.	
1	M. Razi-ul-Hasan ..	40 0	40	
2	M. Wahid-ul-Hasan ..	45 0	50	
3	M. Abdul Razzak ..	45 0	60	
4	M. Bhagwan Parshad ..	35 0	40	Plus Rs. 7-8 bicycle allowance.
5	M. Raj Bahadur ..	35 0	40	
6	M. Ali Husain ..	35 0	40	Plus Rs. 7-8 bicycle allowance.
7	M. Abdul Aziz ..	35 0	40	
8	M. Chiragh Ali ..	35 0	40	Plus Rs. 7-8 bicycle allowance.
9	M. Rahim-ul-Hasan ..	35 0	40	Ditto.
10	M. Moin Ullah ..	45 0	60	Plus Rs. 30 allowance.
11	B. Bisheshwar Dayal ..	50 0	150	
12	M. Abdul Majid I ..	13 0	20	Plus Rs. 10 allowance.
13	Faulad Khan, peon ..	10 8	12	
14	Bhagoo, peon ..	10 8	12	
15	Munney, peon ..	10 8	12	
16	Nokhay, peon ..	10 8	12	
17	Pearay, peon ..	10 8	12	
18	Mata Prasad, peon ..	10 8	12	
19	Baij Nath, peon..	10 8	12	
20	Abdul Majid II, peon ..	10 8	12	

APPENDIX J.

(See page 682 *supra*.)

Statement showing the strength of the teaching staff and the number of Muslims in the three Government Training Colleges in United Provinces, referred to in answer to unstarred question No. 25 for November 4, 1927.

Name of the Training College.	Number of Muslims on the teaching side.	Total strength of the staff on the teaching side.
1. Training College, Allahabad ..	One	Eight.
2. Training College, Lucknow ..	One	Seven.
3. Training College, Agra ..	None	Six.

APPENDIX K.

(See page 685 *supra*.)

Statement referred to in the answer to unstarred question No. 44 asked by KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB, on November 4, 1927.

Serial no.	Name of College.	Management's contribution for 1927-28.	Government grant for 1927-28.	Remarks.
		Rs.	Rs.	
1	Meerut College, Meerut ..	2,614	45,730	
2	St. John's College, Agra ..	29,384	63,206	
3	Agra College, Agra..	19,825	86,806	
4	Bareilly College, Bareilly ..	9,473	30,006	
5	St. Andrew's College, Gorakhpur.	14,904	30,325	
6	D. A.-V. College, Cawnpore ..	12,930	(a) 31,805	(a) Excluding Rs. 2,785 deducted on account of excess payment of grant in 1925-26.
7	Sanatan Dharma College, Cawnpore.	12,500	(b) 20,448	(b) Excluding Rs. 3,738 deducted on account of excess grant paid in 1925-26.
8	Christ Church College, Cawnpore.	15,000	21,107	
9	Isabella Thoburn College, Lucknow (Girls').	28,184	22,754	

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OF THE
UNITED PROVINCES OF AGRA AND OUDH

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